

*I have revised kept
of all and bringe to
a new*
SO The Boke of

**Surueying, and Improue-
mentes, newly corrected
and amended, very ne-
cessarye for all**

men.

By Master Fitz herbarde.

**Imprynted at London
in Fleetstrete nere to s.
Dunstons Church
by Thomas
Marthe.**

*[This tract is omitted by Ames,
under Marthe's Name; but he
mentions an Ed. by Perkhell, 1545.]*
[another 1539 Mus. Res.]

THE UNIVERSITY OF CHICAGO

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The table of this booke.



Yste the prologue of the auctour
for the declaration of thys pre-
sent treatise,

Of castelles and other buyl-
dinges, what the walles, the tim-
bre, the stone, the leade, the slate,
the tile, or other of coueringes, is
wozth by the yere, as well within the walles as
without,

And also the gardeynes, curtylages, bouehouses
and all other poyntes be wozth by the yere.

Capitu. i.

Howe many feldes are of the demayne, and
howe many acres are in euery felde, and what an
acre is wozth by the yere.

Capit. ii

Howe many acres of medowe are of the de-
meyns, and howe muche euery acre is wozth, and
to what maner of cattel it is mozte necessary vn-
to and howe many beastes it wil fynde, and what
the pasture of the beastes is wozth by the yere.

Capit. iii

Of foreayne pastures that be comen, howe
many and, of what maner of cattel the lord maye
haue in the same, and what the pasture of a beast
is wozth by the yere.

Cap. iiii

Of parkes and demeyne woodes, the whye the
the lord maye asserie and to do his poynte, and
howe many acres they containe, and what the ve-
sture of an acre is wozthe, and what the ground
is wozth whan the vesture is fallen,

Capitu. v.

Of foreyne woodes where other men haue com

A. ii,

men

The table.

men, whether the lord maye improue hym selfe thereof, and of howe manye acres, and what the bestures of an acre is worth and what the ground is worthe whan the woode is fallen, and howe many acres they contayne, and what an acre is worth by the yere.

Capl. vi.

Of foure maner of commons.

Whether the lord maye giue or sell the residue of the forrayne woodes, and what such gift or sale is worthe.

Capl. vii.

Of pannage and herbage of the towne, and of all other p[ro]p[er]ties of pooles, meyes, and running waters, of moores, hethes, and wastes, what they be worth by the yere.

Capl. viii.

Of mylnes several fishinges, and common fishinges, what they be worth by the yere

Capitu. ix.

Of free tenants the whyche dwell withoute as well as within.

Capit. x.

Who be free tenants and what landes, and tenementes, and by what fees they holde, and by what seruice, whether by socage or by knightes seruice or other maner, and what rent of assise they giue by the yere, and who holdeth by chancery, and who by auncient demeyne, and who by newe feoffment

Capitu. xi.

Of surrendores of landes holden by the yarde, howe the steward shall deliuer seison.

The maner of the tenants othe.

Howe the coppe should be made of landes holden by the yarde,

Another fourme for certayne rents

Recognition of a tenant

The Table.

A forme of a copy in auncient demaine, where proclamacions shuld be made.

The forme of a copy in auncient demaine, where the wife shalbe examyned.

Another for terme of lyfe.

Another fourme vpon condicion.

A maner of surrender made to the bailiffe out of the court.

Where the lord graunteth a copy of his speciall graunte.

Another maner for terme of yerres where the lord shall kepe reparacion.

Another maner where a man priseneth a tye, and after releaseth in the court.

A fourme where the heire is admitted to hys lande after the death of his father.

Another manner of landes sayled wyth a remainder ouer.

Another fourme for terme of lyfe wyth a remainder ouer.

A surrender out of the court, and a remainder with a condicion.

A supplicacion to be exempte from all inquestes and iuries within the lordship.

The othes of all maner of offycers generally.

The othe of a denyson.

The othe of feroure.

Of those fre tenants that they we in the court of the Countie, and who they we not, and howe muche falleth to the lord after the detelle of such tenants. Cap. xii.

Howe many customary tenants there be, and howe muche euery of them holdeth and what

A.iii.

workes

The table.

wozkes and customes they do, and what the wozkes and the customes of every tenaunt is wozthe by the yere, and howe muche rente every of theym payeth over the customes & wozkes, and of bond men.

Capit. xiii

¶ Of cotlers, what cotages and curtylages they holde, and by what scrupce, and howe much rent they paye by the yere.

Capit. xiiii

¶ Of perquesites of pzoftes of countyes, of courtes, and of fozeftes, what they be wozthe

Capit. xv

¶ Of churches that belongeth to the gyfte of the lordes, howe many there be, and where they be, & what every church is wozth.

Capit. xvi

¶ What the herryottes be wozth, the feyres, chabetes, customes, scrupces, and fozeayne wozkes, the ptees and perquesites of the courtes, fynes, relefes, and al other thinges that may fall to the lord by the yere

Capit. xvii

**Explicit capitula
Statuti.**

*** Of dyuers maners of takynge and doyng of homage and fealtye.**

Capit. xviii

¶ What a farnepour shoulde do

Capit. xix

¶ Howe a man shoulde vpewe, butte, and bounde, the maner and the towneshyppes

Capit. 20

¶ Howe to butte and bounde the feldes.

Capit. 21

¶ Howe to butte and bounde the medowes.

Capit. xxii

¶ Howe to butte and bounde pastures.

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¶ How to amende carable lande.

Ca. xxiiii

How

The Table.

Howe a man shoulde amende hys medowes,
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Howe to amende and make better diuers ma-
ner of pastures, and fysh of lowe grounde lyke
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Howe to amende busshie ground and moſſie
that hath ben errable in olde time. Cap. xxviii.

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neuer earable lande. Capi. xxix.

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How to amende gozſtie ground that hath bene
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Howe to amende gozſty grounde that was
neuer earable lande. Cap. 32.

Howe to amende brome grounde. Capi. 33.

Howe to amende helthe grounde. Cap. 34.

Howe to amende marris grounde. Cap. 35.

Howe to amende brome grounde and fernye.
Capi. 39.

Of lime ſtone grounde. Cap. 38.

What pzoſites may come oꝝ growe to the loꝝd
by reason of his water. Capi. 39.

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How to make a towneshyppe that is woꝝth
twentie marke a yeaꝛe, woꝝthe twentie pounde.

Capitulo. 41.

The Authoꝛ.

Go thou little queere with due reuerence.
And with an humble hert, recomende me,
To all those, that of their beneuolence
This litell treatise, doeth reade, heare oꝛ se
Wherwith I pray them, contented to be
And to amende it in places behouable
Where as I haue fauted oꝛ be culpable.

Foꝛ harde it is, a man to attaine
To make a thinge perfite, at the firste syght
But whan it is rced, and well ouer sene
Fautes maye be founde that neuer came to lyght
Thoughe the maker do his dylgencie and might
Prayinge theym to take it as I haue entended
And to forgyue me, yf I haue offended.

¶

**The prologue of the autours to the
declaracion of this pre-
sent treatise.**



Solomon sapientie primo. Omnis sapientia, virtus, honor, dignitas, et quicque scientia, a domino dunt. This is to saye, all wysedome, vertue, honoure, dygnity, and cunnyng, are of our LORD GOD, Than sphe al myghty God oure Redemer, and creatoure, by hyghe wysedome, goodnes, lyberality, and prouidence in this transitorye worlde and myserable lyfe hath ordeyned dyuers estates and degrees in hys people and creatoures, and some of theym as well hath endowd wyth goostlye and heauenly wysedome and dyscretete graces, as wyth greate honour, possessions, and ryches, wyth great gyftes and graces aswel spyrtyuall as tempozall. Hys hygh commaundment chargeth euery personne that is partaker of the sayd gyftes or graces charitably and dyscretely, the same to distribute and deuyde amonge his poore creatoures. That euery poore person, that is willing to labour duely for his liuyng, may haue thereby conuenient helpe and sustenance. And in as muche as the great Estates, rulers, and gouernours, of this Realme, whome our sauour hath so largely and bounteously rewarded, with all such gyftes, possessions, and ryches: haue accordynge to his pleasure and commaundemente, demyshed, distributed, and graunted to the creatures of god, and

Duruepinge

to theyr fermours or tenauntes, theyr seuerall
possessions, and inheritaunces, reseruing to them
for the same certayne rentes, customes, and seruic-
ces, to susteine and vpholde theyr honoures, and
estates, as to them apperteineth, accordinge to
the highe giftes and graces wherewith they be
so largely endowed And for the great zeale, long
and comforte that I beare to the saide fermours
and tenauntes, and to all other Goddes creatur-
es that they may moze surely, easelye and profy-
tably encrease and sustaine theyr pooze household
wyfes, and children, and also, truly to pay theyr
rentes, customes, and seruyces vnto theyr lordes
and the honoures, of theyr fermes, and tenaun-
terse: Of late by experyence I contriued, compy-
led and made vnto treatise for the same pooze fer-
mers and tenauntes, & called it the booke of hus-
bandrye, the which me semed was very necessary
for husbādmen, that vse tyllage, & for many other
of diuers degrees, & occupations. And wher as in
the prologue of the sayd booke, I demaunded & as-
ked a questiō, & that was this, wherunto is euery
man ordeined as plainly it doth appere, in the pro-
logue of the same: In like maner in the prologue
of this treatise, the which I entende by the suffe-
rance & helpe of our lord Iesu, to contriue, com-
pyle, & make to the profite of all noble men & wo-
men both spiritual & temporal. I demaunde an
other question, & that is this. Howe, and by what
maner do all these great estates, & noble men and
women liue and maintain theyr honoure, & degree
and in mine opynion, theyr honoure & degree is vp-
holden & mainteyned, by reason of theyr rentes is-
sues, reuenewes, & profits that come of their ma-
ners

tiets, lordshippes, landes, & tenementes to them be
longyng. Than it is necessary to be knowen how
all these maners, lordshippes, landes or t. n. men-
tes shulde be extended, surueyed, builde, bounde,
and valued in euery parte, that the sayde estates
shoulde not be deceyued, defrauded nor byther-
red of thei. possessions, rentes, customes & seruy-
tes by which they haue to them reserved for main-
tenaunce of thei. estates, and degrees. And that
there be no partel therof lost nor embeselde, and
then maye the lordes of the sayde maners lord-
shippes landes, and tenementes, haue parfyt
knowledge where the land lyeth, what entrie par-
cell is worthe, and who is freholders, coppe hol-
ders, customarpe tenaunte, or tenaunt at his, wyl.
And what rentes, customes, and seruice he oughte
to haue them, with manye mo. articles, as here
after shalbe declared. Wherfore it is necessarye
that euery greate estate, bothe menne and womē
of worshyppe that haue great possessions of lan-
des and tenementes, shulde haue a Surueyore
that can extende, but and boude and value them.
And therof to make a booke in parchemente: be-
ryng a certayne date after the maner and fourme
as I shal make an entytulynge and to amend it
where he semeth conueniente. Quia facilius est
addere quā de nouo facere. That is to say: it is
lyghter to adde reformatione or correcte, than for to
make newe & parfyt. And the Surueyore to leue
the sayde booke by him, wth his lord in ma-
ner of a register, wherunto the same Surueyore
or an other officer may alway haue resorte, whā
nede shal requyre to loke vpo. And the booke so made
may be a register, & sure evidence by lord his fre-

Turneyinge

holders, copy holders, nor tenauntes, shall neuer lose landes nor rentes customes, nor scrutes, but every man that redeth the booke, shall perspytely knowe where the landes lye. whose it was at the daye at the makynge of the sayd booke, & whose it is. Than yf the owner make a true plee, degree or conuayance, by discent or by purchase vnto the sayd landes or lordshippes. And specially yf the names of the lordes & tenants that occupi might be renewed ones in forty or thye scoze yeres. For than it woulde be as a perpetuall & sure eydence for ever, to put away al streys and varyaunce betwene lord and lord, lord and tenaunt, tenaunte and tenaunte, in good quyetnesse and peace. But of one thyng I pronounce and declare and take god to recozde, that I make thys booke (all one lye to the entente that the lordes, the freholders nor theyr heires shulde not be dysserpte, nor haue theyr landes lost nor imbecelde, nor incroched by one from an other, and to none other entente. And to that I aduertise and exorte on goddes behalfe, all maner of personnes as well lordes as other. That when the lordes or freholders knowe where theyr landes lye, and what euerye pasture or parcel is worth by the yere. That the lordes nor the owners ther of do not herghten theyr rentes of theyr tenauntes, or to cause them to paye moze rent or a greater fyne, than they haue bene accustomed to do in tyme past. For as me semeth a greater charite nor almesse dede a man may not wel do, than vpon his owne tenauntes. And also to the contrary, a greater bybery nor extorcion a man can not do, that vpon his owne tenauntes for they dare not saye naye, nor yet complayne, & ther

therefoze on theyr soules go it, that so do, and not
on myne. Peraduenture the lord wyl saye, it is
nat his dede, it was his surueyours, but that
cannot be so, for saynt Augustine sayth, Qui per
alium facit per se ipsum facere videtur. That is
to saye, he that commaundeth an other mā to do
a thyng, he dothe it hym selfe. And there be two
pryncypalles in one acte doyng, and also he saith
Consensientes et agentes pari pena puniantur
That is to saye, the consentours and the doers,
shalbe lyke punysched. At grammer skole I lear-
ned a verse and that is this. Dum poteris quid
vis, possis cognoscere quid sis. That is to saye
whan thou mayst do what thou wilt, thou maist
knowe what thou arte, That is to wete, good or
puel. But for a grounde of this treatyse, the
whiche I do note, I cal it the booke of Dut-
teyng, and of improuementes, I doe
take an olde Statute named Ex-
tenta manerit, as a pryncypal
grounde thereof, as
hereafter en-
sueth.

Surueynge.

Of castels and other buyldynges, what the
walles, tymbre, stone, leede, slate, tyle, or other of
couerynges is worthe, as wel within the walles,
as without. And also of gardeins, curtilages
douchouses, and all other profits be
worthe by the yere. &c. Capi-
tulo primo,



Aquirendum est de castris, et es-
tiam aliis edificiis fossatis, cir-
cundatis quantum muri et edi-
ficia lingua et lapidis, plumbi,
et alio modo cooperata valent, et
pro quanto appreciari poterunt
secundum verum valorem coru-
dem murorum et edificiorum. Et quantum edi-
ficia extra fossatis appreciari possunt, et quantum
valeant una cum gardinis, curtilagis, columba-
ris, et omnibus aliis exitibus curie per annum.
This is to saye in Englyshe. It is to be enque-
red of castelles, and also of other buyldynges by
ched about, what the walles, & buyldynges, tym-
bre, stone, leade, and other maner of coueryng is
worthe. And howe they maye be solde, after the
very value of the same walles and buyldyng. And
howe muche the buyldyng withoute the dytche
maye be solde for, and what they be worth, with
the gardyns, curtylages, douchouses, and all o-
ther issues of the court by the yere. To & decla-
ration and construcion of this Statute (me ses-
meth there ought to be made a distynction) for
the Statute goth generally, de castris & aliis edificiis
fossatis et circumdatis & extra fossatis. These wor-
des go as well to those castels & other bildynges
tha

that be wel vpholde and inhabited, as well as of those that be fallen in decay, & not inhabited, and to those that be inhabited. It is not necessary to be extended nor valued in any parcel, for let a man make a castel, towre, or any maner of newe buyldynges & synpse he it clerely, yf he shuld go take it downe & sel every thig by it selfe agayn, he shuld lose the moze halfe of his money. And therfore in myne opinyon, this statute was made sone after the barons warre, the whiche ended at the batayle of Euesham or soone after, in the tyme of kynge Henry the thyrde, where as manye noble men of blode were slayne, and many fledde, that afterward were attainted for the treasō they did to the kyng. And by reason therof, their castelles and maners was sealed to the kynges handes. And so for wante of reparacyons, the castels and maners fell to ruyne and in decay. And whā the kyng and his counsaile sawe that, they thought it was better to extende them and make the most profyte that they coulde of them, than to let them to fall vnto the ground, and come to no mannes helpe and profyte. Wherfore kyng Edward the fyrste ordayned this statute to be made the forth yere of hys raygne, wherein is contayned many and dyuers Chappyers and artycles, the whych at that tyme was but instructyons, how & what they shulde do that were comysioners or surueyours in the same. Fyrste it is mooste necessary and conueniente to retayle and to sell every thig by it selfe, and not all in grose, come to one man and come to an other. For that that is good for one man, is not good for an other, & every thig to be prayled and solde by it selfe, that is to saye. The

Surreynge.

Stone wall of one house by it selfe, the tymbre of the same howse by it selfe, the coueryng by it selfe the tyle, scalte, oz leede by it selfe, the glasse by it selfe, the yron ware, as barres, bades, hokes, boltes, staples, oz latches, & all suche other by them selfe doores, wyndowes, bozdes and al other thynges by them selfe, and to go from house to house and sell euery thyng by it selfe, and then what the ercwe value be best known. And it is conuenient that these thynges be offerd to be sold to diuers men, and to see who wyl gyue mooste, and specially to sell whan men desyre to bye. Also to value what the grasse of þ gardenys, curtylages comes to, and house places, that be within the diche or without, be worthe by the yere. A curtylage is a lytle crofte oz courte, oz place of easment to put in cattel for a tyme, oz to laye in woode, coole, oz symber, oz suche other thinges necessary for house holde. And to value the profyte of the douehouse yf any be there, yf it be replenished with doves.

Howe many feldees are of the demeynes, and howe many acres are in euery felde, and what an acre is worth by the yere, &c. Capitulo.

secundo.

Item inquirend. est quot campi sunt in domino, et quot acre sunt in campo, et quantum valeat quelibet acra per se per annum. It is to be inquired, howe many feldees are of the demeynes, and how many acres are in euery felde, and what euery acre is worth by the yere. This is a lyghte letter and nedethe but lytell declaracyon. for by these wordes, quot campi sunt in domino. It muste nedes be taken of feldees that be in tyllage

Demeyninge.

or plowynge, but it wolde be vnderstande, whether the Demeynne landes lye in the roomen felde amonge other mennes lande, or in the felde by them selfe. And yf they lye in the common felde, it is conueniente that they be plowen and sowe and than is not an acre so much worth, as and it were in seueralltye inclosed, or in seuerall pasture for and the felde be enclosed aboute, thā it is at the lordes pleasure, whether they shal lye to pasture or to tyllage, and though it lye in tyllage, yet hath the lord the Edyshe, and after make him selfe for his owne catel. And therfore an acre is at the moze value, and yf it lye in pasture, the pasture maye be suche, that it is at double or treble the value of errable land, wherfore the acres are to be praysed accordynge, and yf they lye by great flattes or furlonges in the comon felde it is at the lordes pleasure to enclose them, and kepe them in tyllage or pasture, so that no nother man haue comyn therein.

Howe many acres of medowe are of demeins and howe much euery acre is worthe, & to what maner of catell it is mooste necessarye vnto, and howe manye beestes it wyl fynde, and what the pasture of a beste is worthe by the yere: Chap. iiii

Item inquirendum est, quot acre prae sunt dominio, et quantum quilibet acra valet ad locandum per se per annum, & ad cuiusmodi bestias et animalia pastura illa fuerit magis necessaria, et quot et quales possit sustinere, et quantum valet pastura cuiuslibet bestie et animalis ad locandum per annum.

B. v

It is

Surueyinge.

It is to be enquired, howe many acres of medow
are of the demeyns, and howe muche euery acre
is worth to set by the yere, and to what maner of
beestes or cattel it is moste necessarie vnto, and
howe many it wyllynde, and of what maner, and
what þe pasture of one beest is worth by the yere
And in myne opynyon, it wolde be vnderstonde
whether the medowes or pastures lye in commē
medowes or common pasture, at large or in seuer-
alltye. For and it lye at large in the common me-
dowes, an acre is no better worth than the grasse
that the haye is made of is worthe, for after it is
comen and of lytell value. And yf it lye in seuerall
tye, it is worth halfe as muche again as þe grasse
was worthe. And that byghe ground and dyke is
most conuenient for shepe, wode ground, & buche
for beestes, and specially in wynter tyme. Lowe
groundes, medowe groundes, and maryshe groun-
des for hey, and after for fatte cattel, and in wynter
for hoxles and mares, and meane groundes,
that is bothe hylly and dalpe, as leyse and lowe
groundes, is good for all maner of cattell yf the
grasse be good and fyne, & specially for fatte ca-
tell or fatte shepe, hoxse, mares, and yonge coltes,
for that grasse that one maner of cattell wyllyn not
eate, another wil. And therfore it is good to haue
a large close, that dyuers maner of catel may goe
together in it, & to knowe what a beastes grasse
is worthe by the yere, that is as the pasture is,
that he gothe in is worthe, and not ouer charged
with catel, and the spynesse of the grasse, and þe
goodnesse of an acre. For some acre of ground is
not worthe a penny by the yere, and some acre is
worthe .xl. pence and so a beestes grasse may be
detyr

Dere ynough twelue pence in the yere, and it may be worthe, xl. d. o. v. milinges, and a horse grasse o. a mares grasse, maye be dere ynough twelue pence o. twenty pence by the yere, and it may be worthe fyue shyllinges o. a noble, accordyng to the goodnes of the pastures. But howe these maners, lādes, meadowes, and pastures shalbe viewed, butted, bounded, and valued, shalbe reherced, after the statute be ones declared.

¶ Of forren pastures that be comen, how many and of what maner of cattell the Lord maye haue in the same, and what the pasture of a best is worthe by the yere. Chap. lxi.

¶ It is inquired. est, de pasturis forislicis qui est comunis, quot et quas bestias et animalia, quis habere possit in eadē, et quantum valet pastura per annum ad locand. It is to be inquired, of forren pastures that is comen, howe many and what bestes and cattell, and what the lord may haue in the same, et what the pasture of a beste is worth by yere to set. This is a derke letter to be well vnderstand wout a better declaraciō, for where he saith De pasturis forislicis, que est comunis. That may be vnderstand thre wayes, for there is in many townes, where as they close pastures by seueraltp, there is commonly a comen close taken in, oute of the comen o. felde, by ternautes of the same towne, for their oxen o. kine, o. other cattell, in the whiche close euery man is stynted and set to a certainte, howe many bestes he shal haue in the same, and of what maner of bestes they shalbe. And yf the lord shall haue any castell therein, he shulde be put to a certainte, et of what maner of cattell, and this pasture may be wel valued and

Butterpynge.

And also the Beestys grasse, what it is worthe
therin. But than it ought to be Mewed, how ma
ny acres be conteyned in the sayde pasture, and
what every acre is worthe, one with another. In
other maner of comen pasture, is mooste com
uenly in playne champpon countreys, wher these
cattell gothe dayly before the herdemen, and lieth
myghtheadopninge to their comen fildes, and it
may lye in two or thre places or mo. And in these
it is also conuenient, that every man be stinted to
a certenty, other by perdes, landes, or ganges, ren
tes, or suche other customes, as the tenantes vse
and the lord in lyke maner. These comen pastu
res maye be extended howe many acres be i ever
y parcel by it selfe, and what an acre is worthe
by it selfe, but it can not be so wel knownen, what
a beestes grasse is worthe percel, for they lye most
commonly with the falowe feldes, and some fal
owe feldes be better than some, and so a beestes
grasse maye be better or worse. The thyrde maner
of comen pasture, is in the lordes out wodes that
lye comen to his tenantes, as comen mores,
or hethes, the whiche were neuer errable landes,
In these maner of commens, me semeth the lord
shulde not be stynted nor set at no certentye, but
put his cattell, vpon suche maner of comen pas
ture at his pleasure, bycause all the whole com
men is his owne, and his tenantes haue no cer
tayne parcel therof layde to theyr holdinges, but
all onely bytte of mouthe with their cattell and it
were agayn reason to abydge a mā of his owne
ryght. But his tenantes and every mannes te
nantes, me semeth ought of ryght to be stynted
what every man ought to haue, goynge vpon all
maner

maner of commens oꝛ elles would the ryche men
in the begynnynges of Domes bye shepe and other
maner of cattell, and eate the commens, and sell
them agayne at wynter, oꝛ put them in theyꝝ po
stures that they haue spared al the Domes and so
ouerprelle the poore men/that haue no monye to
bye noꝛ able to reye.

¶ Of parkes and demeyne woodes, the whyche
the loꝛde may assarte and to do hys profyte, and
howe many acres may contayne, and what the
vesture of an acre is worthe, and what
the grounde is worthe when the
vesture is fallen. &c.

Chapter.

v.

¶ Item inquirendum est, de pꝛeclis et domini
eis boscis, que ad voluntatem suam possunt asser
tare et excolere, et quot acce in se continentur. Et
quantum vestura cuiuslibet acce possit appꝛe
ciari, et quantum fundus in se contineat et valeat,
quando pꝛoꝛatus fuerit, et quantum valeat quæ
libet acce per se per annum. It is to be enquered
of parkes and of demeyne woodes, the whyche as
the loꝛdes wyl maye be asserted and plucked by,
oꝛ fallen downe, and howe manye acres are con
tayned in theymi, and foꝛ how much the vesture
of euery acce maye be solde and howe muche the
grounde in hymselfe conteyneth, when the woxe
is fallen, and how muche euery acce is worthe by
it selfe by the yere. Thys is to be vnderstande of
parkes and demeyne woodes, that be in feueal
tye, wherof the loꝛde at hys pleasure, may aserte
Rocke

Surueyngē

Roche by by the costes / or fal by the earthe, plow
and sowe to his moſte proſp̄te as he wyll. And
howe many acres of woode are containēd in the
ſame. For in a parke or woode maye be two hun
dred acres and moze, and yet not paſſe a hundred
acres therof woode lyttell moze or littell leſſe, and
what the veſture (that is to ſay) the woode of eue
ry acre is worthe by him ſelfe. for one acre maye
be worthe .x. s. or .xl. s. and another acre deare y
noughe ii. s. vi. s. or .x. s. and howe muche the hole
grounde containeth whan the woode is fallen,
And that is to be vnderſtande, all the grounde
wythin a pale or hedgz, as well the land ground
as of the woode grounde where the woode grow
ed, and what euey acre is worthe by the yere, as
well of the one maner as of the other.

Of ſozen woodes where other men haue com
men, where the lord may improue hym ſelfe there
of and of how many acres, and what the veſture
of an acre is worthe, & what the ground is worth
whan the woode is fallen, and howe many acres
they contain, and what an acre is worth. Cap. vi

Item inquirenduz eſt de boſcis ſozinſeis ubi
e. ii. communicant, quid de eiſdeꝫ boſcis dominus
ſi poſſit appropriare, et de quot acris et pro quanto
veſtura cuiuſlibet acre communiter poſſit appre
ciari et quantum fundus valet poſt proſtratus
fuerit, boſcis, et quot acre iſſe coſtineant. et quan
tum quelibet acre valet per annum. It is to be in
quered of ſozen woodes, where they & other com
men together & what of thoſe woodes the lord
maye improue him ſelfe, and of how many acres
and for howe muche the veſture, that is to ſaye,
the woode of euey acre may be ſolde. and howe
much

much the grounde is worthe after the woode be
fallen downe, & how many acres it contayneth,
and what every acre is worth by the perche. The
declaracion of this statute is doubtfull, bycause
of the none certepntie therof, what is sufficient co
men, for it is clerely ordeyned by the Statute of
Bereton, and after confyrmed by the Statute of
Westminster. ii. That the lord shall improue him
selfe of theyr wastes, whereby is vnderstande of
theyr common mores, heythes, and waste groun
des as wel as of woodes. Though the statute
speake but of woodes nely leuyng the ternaun
tes sufficient comen, the whyche in mine opin
on be those ternautes that haue common appen
daunte, and holde theyr landes of hym. It is ne
cessarye to be knowen what is sufficient of com
mon, and that me semeth by reason shoulde be thus
To see howe much the hay and the strawe
that an husbände getteth vppon hys owne tene
ment, wyl finde sufficiently in winter, yf they ly
in house and be kepte therewyth, all the wynter,
season, for so much the cattel shoulde he haue comen
in Sommer, and that is suffeycent. Ye shall vnder
stand that there be foure maner of comens, that
is to witte comen appendaunt, comen appurte
naunte comen in grose, & comen per cause de vt
rinage is neighbourshipp. Comen appendant is
where a lord of olde tyme hath granted to a
man a mesuagge, & certayn landes, medowes, and
pastures, with theyr appurtenaunces to holde of
hym. To this mesuagge landes, & medowes be
longeth comen, & that is called comen appendant
But and a man graunt to an other certayne lan
des or pastures, yf which ly in seuerall enclosures
with

Surueynge

wyth the appurtenance in fee, to holde of þe these
Lordes, to these landes me semethe belongeth no
commen wythout he haue such speccall wordes
in his dede. Commen appurtenaunce is where a
man hath had commen to a certayne number of
beastes or wythout number belogging to his meise
place in the lordes wastes, thys is commen ap
purtenaunce by prescription, by cause of the yle
out of tyme of minde. Commen in grose is where
the lord hath graunted by hys dede commen of
pasture to a stranger, that holdeth no landes of
hym nor ought to haue any comen but by reason
of that graunte by dede. Now the lord may not
improue hym selfe of any parcel, for it is contras
ry to hys graunte, though there be suspente of
commen. And in lyke case yf the lord graunt com
men to a man by dede, and to lymytte hym a cer
tayne number of beastes se what was commen at
that tyme, and of that the lord shal not improue
hym selfe for and he shoulde, the goodnesse of the
commen to that certayne number shulde be abrid
ged, that they shoulde not fare so well, and euerye
mannes dede shal be taken strongest agaynst him
selfe. And in lyke maner if the lord graunt a man
commen wyth hys cattel, wythin certayn meyses
liunestes, and boundes, the lord shal not improue
hym selfe within those meyses and boundes, Co
men p^r cause de bycynage, is where the waste
grounde of two Towneshyppes lye together
and nother hedge nor pale bytwene to kepe theyr
cattel a sonder, so that the cattel of one Towne
shyppes gothe ouer his meyse or bounde into the
waste grounde of the other towne, and lykewyse
the cattel of the other towneshyppes to them. And
also

Also yf they comen felde lye together vnclo-
 led in open time when haruest is in theyr cattell
 wil go out of one felde into þ other felde, and
 this is called comens, bicause of neyghbozshyppe
 and so not vled nor lawful to pinne theyr cattell
 so goynge, but in good maner to dysse and chase
 besyde such comen. And as for that maner of
 comens, me semeth the lord may proue hym selfe
 of theyr waste groundes, leaupnge theyr owne te-
 nautes suffycient comen, hauinge no regarde
 to the tenautes of the other towne shyp. But as
 for all cerable landes, medowes, leyse, pastures,
 the lordes maye improue theym selfe by course of
 the comen lawe, for the statute speleth nothing
 but of waste groundes, and ye shall vnderstande
 that howe be it that a lord maye not ymproue
 hymselfe of his waste groundes, yet may he law-
 fully sel and sel all the wood, byome, gosse, fyres
 braken, ferne, bushes, thornes, and such other, as
 free stone, lyme stone, chalker, turues, claye, sande
 leed, oze, oz flinne, to his owne vse, for the tenau-
 tes maye haue nothing by reason of comen, but
 all onely by re of mouth wyth theyr cattell. And ye
 shal knowe that swyne and gees haue no comen,
 but by sufferaunce, wythoute specyall wordes in
 theyr charter. Also the lord shall haue bys free
 warren, for al maner bestes and foules of warren
 in his waste groundes, as well as in his seuerall
 groundes, and as longe as the bestes oz foules
 of warren be vpon the lordes ground, they be the
 lordes if he haue warren, and the lord maye haue
 an actyon of Trespas agaynst any man, that cha-
 seth oz killeth any of them in his comen, as wel
 as in his seuerall. And if they go oz flye out of the

¶

lordes

Surueynge

lordes warren, than is the properte changed, and the lord hath loste hys actyon for takynge of the whan they be out of hys warren, wythoute they come into hys warrenne agayne, there is no man hath warren but by specyall graunt of the kynge by charter excepte it haue bene vsed tyme out of mynde, and alowed before Justyce in Eyre. And as for the articles contayned in this present chapter, the letter thero is playne yuoughe, and also touched before.

Whether the lord maye geue or sell the residue of hys forren woodes, and what such gyfte or sale is worth by the yere.

zc. Capitulo

vii.

Item inquirendus est, verum dominus de residuo holarum predictorum forinsecorum, dare possit, et quantum valet talis donatio vel venditio per annum. It is also to be enquired, whether the lord may geue or sell the residue of hys forren woodes aforesayde, and what such gyftes or sale is worth by the yere. This letter is plain ynough/and as me semeth no doubt but that the lord maye geue or sell the residue of the sayd woodes or wastes. Except that a man haue comen of Eskouers. But what that gyfte or sale is worthe, is to be vnderstand and knowen, and as me semeth the donee or the byoure, shall be in the cause as the lord should haue bene if he had not gyven it nor solde it. Than the lord hath improued hym selfe of as much woodes and wastes as he can lawfully, and when he hath geuen or sold the residue of that, he canne not ymproue hym selfe

sale of it. In lyke maner the donee nor the dioun
can not improue them selfe of any parte therof.
For they can not be in no better case, than he of
whom they had it, Howe be it that they that of
ryghte oughte to haue the commens be not theyz
tenauntes, but theyz tytell and interest grewe by
inherytaunce, longe tyme befoze the gyfte oz sale
made by the lord. And it foloweth by reaso that
the gyfte oz sale of a straunger, shall not hurte an
other mannes inherytaunce. But thys donee oz
this purchasoure, shall take to theyz profyte all
the besture standynge vpon, oz beyng wythin the
sayd grounde, as woodes and such other, as is
sayd befoze in the next chapyter.

Of pannage and herbage of the towne, and
of all other profytes, of pooles, meyzes, and
rynnyng waters, of moozes, hepthes
and wastes, what they be
worth by the yeare.

it, Capit.

viii.

Item inquirendum est de panagio et herbagio
ville, et omnibus aliis eritibus viuariorum mo-
tarum, buerum et vastorum quantus valeat per
annum

Also it is to be inquryed of panage and herba-
ge of the same towne, and of al other profytes of
pooles, meyzes and rynnyng waters, of moozes,
hepthes/ and wastes, what they be worthe by the
yeare. And where thys statute speaketh de pan-
nagio, that is to be vnderstande/ whan there is
any waste growynge in the lordes wodes, wher
by mennes swyne maye be fedde, and releued,

Lii.

what

Suretyng

What profit that maye be to the lord. For there is no manne that can claime of ryght to haue the maste, the whych is a fruite, but the lord excepte his free tenaunt haue it by special wordes in his dede. Quod sit quietus de panagio And the lord shall haue it in his foren oure wodes, as well as in his parkes, or seuerall wodes, and as the quanttie of his maste is / so the lordes bayly of ryght ought to laye mennes swine. therunto from mychelmas to Martylmas, and to make a trewe accompte therof at the lordes audite, what he taketh for euery swyne And in many places the tenants go fro panage in the foren wodes by custome, & that is most comanly where as the tenants paye tacks swyne by custome, yf he haue to a certayne number, or els to paye yearly at Mychelmas, i. d. or an halfe penny for euery swyne, as the custome is vled. The statute spekeh. De herbagio ville. This is to be vnderstande of the comen pasture that belongeth to the towne, where vpon the herdeman kepeth the tenants cattel. It maye be so good, that the tenants nede not to haue any seuerall pasture, but that theyr comen pasture should be able to fynde all theyr cattel, both hoxles, mares, beestes, and shepe, and so it was of olde tyme that al the landes, medowes and pastures, laye open and vnclosed, And than was theyr tenementes muche better cheape then they be now, for the most part of the lordes haue closed theyr demeyne landes, and medowes, and kepe theym in seueralltye, so that theyr tenants haue no comen wyth them therein. And also the lordes haue inclosed a great parte of theyr waste groundes, and streyned theyr tenants of theyr comens

commons therein, and also haue gyuen lycence to
 diuers of theyr tenautes to enclose part of their
 eatable landes, & to take in newe intaches, or clo
 ses oute of the commons, payenge to theyr lordes
 moze rente therfoze, so that the commun' pastures
 waten lasse, and the rentes of the tenautes war
 en moze and moze. And that is, by cause the tenan
 tes waten moze polytike in wysdome to improue
 theyr tenementes, holdynges, and fermes. and at
 the ende of the terme, an other man that made no
 coste of the sayd improuementes, offereth the lord
 certayne money for a fyne to haue it, or to hegh
 ten the rente of the same, so that he that made the
 coste or his chylde, shal not haue the sayd ferme
 without he wyl gyue as muche or moze as is offe
 red to the Lord, and so thowge the enuye of his
 neyghboure and the couetousnes of the lord and
 his officers, the pooze tenaunt hath a great losse
 or elles vtterly vndone, God amende it. And the
 lordes haue a greter losse than they wene, for their
 tenautes see howe theyr neyghbours that haue
 buylded theyr houses, improued theyr lades and
 he put oute, excepte he make a fyne, or paye moze
 rente, causeth them nother to buylde nor other
 wyse to improue theyr holdynges, to the lordes
 great losse at length. And where the statute saith,
De omnibus aliis eribus vinariorum morarū
hauerum & vastorum. And of al profytes that shal
 come of the lordes standyng waters, mores, herth
 and wastes. *Vinarium* is a pole or a meye that
 fysh increaseth and lyueth in. Some rynnynge
 waters be as free and feueral to the lordes, as
 their pooles, meyes, or standing waters. And as
 they be stoyed wyth fysh, so doth the profyt rise

Duruepyng.

to the Lordes, whether they goe by waye of improuente or let to ferme, wherof the baylyff: shal make accompte, Boozes, heethes, and wastes, go in lyke maner as the herbage of the townes, for the lordes tenantes haue comen in al suche out groundes with theyr catel, but they shal haue no woode, thoznes, turues, gosse, ferne, and suche other, but by custome, or elles speccyall wordes in his chartoure.

¶ Of mylnes, seuerall fylshyng, and comen fylshyng, what they be worthe in the pere. Capitulum 10. 11.

¶ Item de molendinis, piscariis, seueralibus, & communibus quancum valent.

¶ Also of mylnes, seuerall fylshynges, and comen fylshynges, what they be worthe. In this shorte artycle many thynges are to be remembred for wher he sayth. De molendinis, the which is in the plurell nombze, it is to be vnderstand, that there be many maner of mylnes, as cozne mylnes wyndemylnes, horse milnes, and quernes that go with hande. Fulling mylnes, sythemylnes, cutler mylnes, smyth mylnes, and al o: her as the whele gothe by dyfste of water, to blowe the bales or to drye any water lyke a pope, as ther be in Cozne wall and dyuers other places. Though they be no mylnes properly to grind cozne, yet it is a profyte to the lord, the which a Duractour may not forget to put in his boke, and to buy and bounde them as they lye, & who be the fermours, & what rentes they paye. And to the cozne mylnes to the mooste part of them belongeth Docone, that is to say custoe of p:tenautes to grinde theyr cozne at the

the lordes mylne, & that is as me semeth, all furche
 cozne as groweth vpon the Lordes grounde, that
 he spendeth in his house, But & he bye his cozne
 in the market or other places, he is than at lyber
 tie to grynde where he maye be beste serued, that
 maner of grynding is called loue Socone, and þ
 lordes tenantes be called bond Socon. And if they
 grynde not theyr cozne at the lordes mylne, þ
 lord mize amerce them in his court, or els he may sue
 them at the comynen lawe. *De secta molendini faci
 endi.* But whan he shall make his declaracyon
 in the debet, and whan in the solet, I remyt that
 to men of law, that haue experience therof. It is
 also to be knowen howe the tolle shuld be taken
 but there be so manye dyuers grauntes made by
 the lord, some men to be grounden to the twety
 parte, and some to the, xiiii. parte, tenaut at wyl
 to the. xvi. parte, and bondemen to the. xii. parte,
 some men to tolle fre, and some to hopper fre, þ
 is to wyte, that his cozne shalbe put into the hop
 per and grounde nerte to the cozne that is in þ
 hopper at the tyme of his commynge. And i some
 place to take the tolle after the strength of þ wa
 ter, that foloweth by reason, for that mylne that
 hath a byg water, and may dyne a great brode
 stone, the whyche wyl make muche moze meyle,
 than that mylne that gothe with a lytel stone, he
 is muche better worth by to haue the moze tol, and
 yet shal the owner of the cozne haue the moze pro
 fyte. And so there be so many diuersytes of takig
 of tolle, that I mylnot take vpon me to tel how
 but also to remyt it to men of lawe to shewe, the
 diuersytes. But doubte ye not, the mylners
 wyl be no losers, & of mylnes there shall moze be

Dutuepunge.

spoken of in the Chapter of waters among the
improuementes. De piscariis sepealibus, that is
to be vnderstande, in the lordes standing waters
as pooles, meynes, and also running waters that
be seuerall, as be very many in dyuers countreys
set to ferme frome one place of the ryuer to an o-
ther for certayne rente, and yf anye man fysh in
the lordes pooles or meynes, the lord may haue
his action vpon the statute. Westminster primer
And yf he fysh in the rynnynge and seueral wa-
ters, the lord maye haue his action at the comen
lawe, and in lyke wyse the lordes ternaunt, yf any
man fysh in his ferme holde be it standynge wa-
ters or rynnynge waters. And where he sayth De
omnibus, of comen fyshynge, that is litle pro-
fyte to the lord but to his ternautes, excepte he
dwelnyghe the see, and wyl cause hys seruaunte
to fysh there for hym, for that is the best comen
water that any man can fysh in. And some ryn-
nyng waters be comen, as lytel brokes and dy-
ches, and in some rynnynge waters, the lordes te-
nautes haue lyberte by custome to fysh with
shouenettes, trodenettes, small ppyche, and
suche other.

Of free ternautes, the whiche dwel with-
out as wel as within. &c.

Capitulo. x.

Item inquirendum est, de biberis tenentibus
quibusq; forinsecis et extrinsecis.

Also it is to be enquired of freholders, the which
dwel without as well as within. By this letter
it is to be vnderstande, that a free holder maye
dwel out of the precincte of the lordes maner, and
yet holde his lande of the sayde maner. For one
maner

maner may stretch into dyuers myres, as the ho-
ner of Catebury, Walyngfozde, Dountrefette,
Cyckel, & suche other. And in that case the lord
of the honoure or maner, may take a dystresse for
his rentes, homages, relifes, customes, and seru-
ces, & to byng the same dystresse out of that myre
where it was taken, into that myre wherethe ma-
ner is, of whome these sayde landes be holden.
And yf the tenaunte wyl lewe Repleuy, the my-
resse where the cattel is, shall make and serue the
repleuy, and not the myresse where the goodes of
the catel was taken, nor retourne of his repleuy,
Quod aueria elongata sunt. And the Lord maye
haue a free holder that holdeth his lande of him,
and payeth hym these rentes and other seruyce, &
not by the reson of any maner. And thus yf a man
purches a parcel of lande befoze the makinge of
the statute. *Quia emptores terrarum*, and giue the
same landes agayne to a straunger befoze the ma-
kinge of the sayde statute, to holde of hym by cer-
sayne rente and seruyce, this maye be called afor-
ten free holder, for it is no parcel of any maner,
and it is no maner it selfe. For to every maner be-
longeth two thynges, that is to saye parcel in de-
meyne, and parcel in seruyce: That is landes in
demeyne belongyng to the maner and seruyce, as
comes or rentes, and this free holder I spake of
befoze hath the demeyne, but he hath no seruyce. Al-
so a man maye haue bothe rente and seruyce of a
free holder, and yet he holdeth not his landes of
hym that he payeth his these rent vnto. As and a
man purchase landes syth the makinge of the said
statute, and gyue it to a straunger, reseruyng fe-
altye and certayne rente, this free holder holdeth

Surueyinge.

his landes of the chefe Lord next aboue, and yet
shall he paye his rentes and seruyces reserued to
hym that gaue it to hym, and yf the gyft were in
the tayle and no remaindre in fee ouer, nowe the
reuerenon resteth styl in the donoꝝ, I could speke
moꝝe of the gyftes and remainders, but I remitt
them to men of lawe that be learned, for it is not
the mater that I entende to speake of. Now be it
it is very necessary for every Surueyour to haue
in syght and experience of the comen lawe, oꝝ els
at some season he shal dysceyue his loꝝde, oꝝ his
tenaunte, and specially his owne soule, for saynt
Flodoꝝus saythe Quod ignorantia crassa vel af
fectata non excusat peccatum. That is to say, ig
norance of connyng oꝝ of the faculty in hym that
taketh vpon hym, as a mayster oꝝ teacher of the
science oꝝ connyng, excuseth not a mannes offyce
for every man that god hath sende wyth and rea
son vnto, is bounden to know whether he do wel
oꝝ yuell, And therfore it is necessarye, that euery
man learne and do his diligence to know, what
he ought to do, oꝝ he take vpon hym, anye suche
offyce oꝝ rowme.

¶ Who be free tenauntes, and what landes and
tenementes, and what fees they holde, & by what
seruice whether by socage oꝝ by knightes seruice
oꝝ other, and what rent of alyse they giue by the
pere, and who holdeth by charter, and who by
auncyente demeyne, and who by newe
feoffement. Cap. xi.

¶ Item inquirendum est, qui sunt liberi tenen
tes, et quis et quas terras et tenementa, & que feo
da teneat, et per quod seruiciu[m] vtrum per soc
agium, vel per seruiciu[m] militare, vel aliis ma
do

do, et quantum reddant per annum de redditu al
 life, et qui tenent per cartam, et qui non, et qui per
 antiquam tenuram, et qui per nouum feoffamen
 tum. Also it is to be enquired, who be free tenan
 tes, and what maner lades and tenementes, and
 what fees they holde, and by what seruyce, and
 whether it be by soccage or knyghtes seruyce, or
 of any other maner, and what they yelde by the
 pere of rent of Assise, and who holdeth by char
 ter, and who not, and who by y olde tenure, and
 who by the newe feoffment. It appereth by this
 article, that there be many maner of free holders
 and hold theyr landes and tenementes in diuers
 maner, and by many emaner of rentes, customes
 and seruyces, as tenauntes in fee symple, tenaun
 tes in taylor, tenauntes by copy of courte rolle, te
 nauntes by the curtesy, tenauntes in dower, and
 tenants for terme of lyfe by speccial graunt, and
 many other. And all these tenauntes maye hold
 their landes by diuers tenures, customes and ser
 uyses, as by homage, fealtye, escuage, soccage,
 knyghtes seruyce, graund sergentye, petite sergē
 tie, franke almayne, homage auncetrell, burgage
 tenures, and tenure in villenage. But to declare
 the diuersyte of all y tenures, it wolde be to long
 a processe, therfoze I remyt it to the fyrste boke
 of the common lawe, called the tenures. But the
 diuersyte of these tenures, what rentes, fees, cu
 stomes, et seruyces, the lord ought to haue of his
 tenants, can not be knowe but by the lordes eu
 dence, court rolls, rentayles, et suche other preside
 tes, et specially by the orygynall deeds of their te
 nantes. And ye shal knowe, y the lordes may not
 distrayne theyr tenauntes, nor cease their landes
 into

Turneyngs.

into theyr handes, to cause theyr tenantes to
shewe theyr euidence, wherby they holde their la
des. But and the lord haue any euidence, rentay
les, or courte rolles, of any maner of rentes custo
mes, or feruices, that he hath not and can proue
a possession of the same in his auncesters, lyth p
lymitacyon expessed in the statute of Westmyn
ster seconde in the seconde chapter, then he may
lawfully distrayne for the same. And than muste
the tenaunt shewe a dyscharge, by sufficient wy
tyng, and not by wordes, or els to pay the same
for mater in wytyng, may not be dyscharged by
a nude parol. shere wordes. The statute speketh
Qui tenent per cartam, et qui non. The tenante
tes in fee simple, and the tenants in tale, that
haue euidence and dedes made and sealyd, and
possession deliuered of theyr lordes or by their at
turney, frome one to another, they holde theyr
landes by charter, be it newe made or olde. And
also there be tenants in fee simple, and tenants
in tale, that holde by no charter, and those be
tenantes by cove of courte rolle. And as a lord
haue a manere, and within the sayde manere there
is a custome, p hath ben vsed tyme out of mynde,
that certayne tenants within the sayd manere
haue vsed to haue theyr landes and tenementes
to holde to them and to theyr heyres i fee simple
fee tale, or for terme of lyfe, at the wyll of the
lord after the custome of the manere. And such a
tenante maye not gyue nor sel his lande by dede
for and he do, the lord maye entre as in landes
forsayte to hym. For yf suche a tenant wyl gyue
or sel suche maner of landes to another, he muste
surrender the same landes in the lordes court, w
to the

to the lordes handes, vnto the vse of hym that
shoulde haue it, or in fee simple, fee taylor, or for
terme of lyfe. And he that shall haue the lande,
muske come into the court and take it of the lord
as here after foloweth,

C Ad hanc curiam venit **J. B.** et sursum reddi
dit in eadem curia vnum messuagium, &c. in ma-
nus domini ad vsum **A. D.** & heredum suorum vel
hered. de corpore suo existentium, vel pro termino
vite sue. Et super hoc venit predictus **A. D.** et ce-
pit de domino in eadem curia predictum messua-
gium, &c. habendum et tenendum sibi et hered. suis
vel sit et heredibus de corpore suo existentibus.
vel sibi ad terminum vite sue ad voluntatem do-
mini secundum consuetudinem maneris faciendo
et reddendo inde reddi seruicia, et consuetudines
inde prius debita &c. consueta: et dat domino de fi-
ne, &c. et fecit domino fidelitatem, et admissus est
inde tenens. And these maner of tenants shall
not plede nor be impleded of theyr tenementes by
the kynges wytte, but and they wil implede ech
other for theyr tenants, they shall haue theyr
pleynthe made in the lordes court, after this forme
or effecte.

C. A. de B. queritur versus C. de D. de placito
terre viz de vno messuagio, de m. acris terre. tri-
bus acris prati. &c. competentis: is. And shall
make protestacion to sue bys plaint in the maner
of the kynges wytte of foryndowne in descen-
dize at the comen lawe, or of the kynges wyte of
Assyse of nouel dysryson, or of assyse of mortu-
ceter, or anye other wyte at the comen lawe.
Plagii de prosequendo. G. f. et G. B. but howe the
declaracion, the answer, replycacion, and return

Stewenyinge

þe shulde be made, and also an actyon of Dette
Detynne, couenaunt, trespass, and suche other, I
remytte that to men of lawe that haue experieñce
therof. But one thenge wote I well, that manye
an erronpouse pzoesse the Stewardes make in
theyr courte tolles, wherfoze men of honour and
of woꝛshyppe, and Abbottes, pꝛouers, and suche
other shuld make men of lawe they: Stewardes, &
to cause them to exercise the office hym selfe, with
hys clerke sufficiently instructed by his mayster
that there may be due pꝛoues wythoute fauoure
by berpe oꝛ extorcion, on payne of forfayture of
hys office. But it is a comen vse in some coun
treys, that lordes. knyghtes. squyers, and gētil
men, that knowe but lytle of the lawe, be made
Stewardes, and they come to the courte oꝛ send
theyr clerkes that can as lytel lawe as theyr may
ster oꝛ lesse, but that he vnderstandeth a lytell la
tan. And yf there be a fyne to make for a tenemēt
house. oꝛ close that is to be let, the stewart shall
haue a rewarde for his good wyll, that he maye
haue it before an other man. and the clerke muste
haue an other rewarde for to intreate hys may
ster to the same, so that the lordes fyne must ne
des be the lesse, oꝛ elles the pooze man shall be at a
great charge, wherof speaketh Salomon, pꝛouer
bi. iiii. vii. Melius est parum cum iustitia quā
multi fructus cum iniquitate. It is better to haue
a lyttel ryght wysely then to haue muche pzoofre
wychedly. But now to my mater that I spake of
before. there may be in one maner oꝛ lordeshyppe
both charter land, and coppe lande, & eth of them
well known from other, & one man maye haue &
holde them bothe. Also there be other tenants by
coppe

coppe of court rolls, and are called tenants per
le verge, s. by the verge. And they be called so by
cause when they wolde surrendre theyr tenemen
tes into the lordes handes to the vse of an other
they shall haue a lytle verge in theyr hande by cus
tome of the court, and that they shall deliuer vn
to the steward, yf he be there present, or to þe bay
ly or reue, or to other two honest men of the lord
shyppe, And at the nexte court he that shall haue
the sayd landes shall take it in the court, and his
taking shall be entred in the roll and the steward
or baylyse, as the custome is vsed, shall deliuer
to hym that shall haue the lande, the same verge
or an other in the name of season, and hath none
other euidence but the copie of the court role and
it maye be made in fee simple, or fee tayle, or for
terme of lyfe. And all maner of customes that be
not agayne reason may be admytted and allow
ed for a custome. And how be it that these maner
of copy holders haue an estate of inherytaunce, af
ter the custome of the manere, yet haue they no
franke tenement, by cause of the comen lawe,
and therfore they be callid tenants of base nas
ture, We serueith it were necessary and conuenient
to shewe dyuers diuersities how coppes shoulde
be made, for fe are least euery man that tak
eth vpon hym to kepe a court, hath
not perfectly the experyence therof
as here after ensucth.

**Fyrst of surrendres of landes holden by
by the verge.**

He shall take a verge in his hande by the end
and deliuer the Steward the other ende in hys
hande, and saye to the Steward, Here I A B.
do

Queneyinge

do yelde up a Surrendre my landes called D, the
whych I holde of thys lordes wyll. after the custome of thys maner, to the
houe of Johan & zowne and hys heyes

How the Stewarde shal deli- uer sealon,

The Stewarde shal deliuer hym an ende of
the yerde in his hande that shal haue thys land
and he shal saye thus to hym. My lord graun-
teth you sealon of thys lande that was A, B, the
wiche ye take here in the court to you & to your
heyes, to holde at my lordes wyll, after the cu-
stome of thys maner, & then he shal be swoyne. &c.

The maner of the othe of the tenaunte.

I shal beare faythe and trouthe to my lord
of thys maner, as for the landes and tenementes
that I haue taken of hym, and truly do and pay
the rates, customes, rentes and scrupes that lon-
geth therto, as for the terme that I shal occupy
it, So helpe me god. &c. and kysse the booke, & lay
downe a penny as custome is.

Howe the copie should be made of lan- des holden by the parde

Did hanc curiam dominus concessit extra ma-
nus suas per J, F, capitalem senescallum suum
C. G. et M. broxi eius unum messuagium et sex
acras terre cum pertinentiis incen. apud B. qui
bus dominus per senescallum suum concessit lei-
tinum

linam habendum sibi et hereditas suis de domino per virgam ad voluntatem domini secundum consuetudinem manerii, et dant domino de fine, pro ingressu inde habendum, prout patet in capitulo, et fecit domino fidelitatem, et admissus est inde tenens.

An other fourme for certayne rente for
ai maner of seruyce.

Ad hanc curiam dominus concessit per J. f. Senescallum suum, T. B. et M. brozi sui vnum messuagium sex acras terre. ii. acras prati, et vnam acram bosci cum pertinentiis prefatis. Et hereditibus et assignatis suis ad voluntatem domini secundum consuetudinem manerii, redd. inde annuatim domino, et hereditibus suis, vel successoribus suis si dominus sit religiosus. v. s. vi. d. pro omnibus et singulis seruiciis ad duos annos terminos videlicet. sc. equis portionibus et dant domino de fine. sc. et fecit fidelitatem,

The common course is not to put in certayntye all theyr rentes, customes, and seruyces, in theyr copyes, and that is an auncyent demeyne, and in all places where theyr tenauntes haue theyr londes by coppe of theym and theyr heyles, after the custome of y maner, for there they haue or ought to haue a customary role, wherin is euerye mans lande contayned, and what rente, customes, and seruyces euery man ought to paye and do, and in many places theyr lawes and theyr customes be put in wytyng, and remayne in theyr owne keepyng to put theym in a redynesse. whē nede shall requyre, but and there shal be made any newe increchementes, or inachies, inclosed or takē in one of the commons or any myne new founde, as lech

Surueynge

of tyn, cole, yron. stone or luche other, yf a cōpye
shalbe made therof, it is necessarie and conueny-
ent the rent therof to be put in the cōpy, for it is a
newe thyng that hath not gone by custome, and
also it would be put in a customary role, for this
newe approuement maye fortune to encrease of
rente or decrease of rent, and therfore the rentes
muste alway be expessed, Also where a mā hath
a lordshipp, wherein be many tenants that hold
theyr landes of theyr lord by cōpy of court rolle
for terme of yeres, or for terme of lyfe, where they
haue state of inheritaunce. In al such cōpyes, it
is conuenient that the rentes be expessed in the
same cōpyes, causa patet.

A recognytion of a tenaunte what
he holdeth of the lord.

¶ Ad hanc curiam venit R. C. coram D. C. ses-
nescallo huius manerii, recognouit se tenere de do-
mino unum messuagium, decem acras terre, tres
acras prati cum pertinentiis in A. vocat. C. libere
per cartam in socagio per redditū, xii. d. vel unā
libram piperis, et sextam eus. bis per annum. Et
etiam dicit R. C. cognouit se tenere de domi-
no alium messuagium eus crofto adiacente, et sex
acras terre, et duas acras prati. cum pertinentiis
ad voluntatem domini secundum consuetudinē
manerii, et per red. duorum solidorum, et fecit se
delitatem, et admissus est inde tenens.

¶ The fourme of a cōpy in auncient demeyne
where the proclamacyon

shulde be had

Ad hanc curiam tentam ibidem t. ali. die et anno.
re venit A. B. filius et heres J. C. et sursum red-
dit in manus dñi unum messuagium, et acras, et
tres

ites acc. p. rati cū vno crofto in D. infra iurisdic-
 ctionem huius curie ad opus E. F. hered et assign.
 suorum imperpetuū, virtute bargainie inter eos
 fact. Et super hoc publica proclamatio in e. dem
 curia fact fuit: q. si quis aliquod ius seu titulum
 ad eadem messuagium terr. p. rat, et croft, vel in as-
 aliqua eorum parcella pretendere voluit, vel habe-
 ret, veniret et audiretur, et nullus venit ad hanc
 curiam, per quod secundum consuetudinem manerii,
 messu p. rati, terras, p. ratas et crofts, p. rati, et
 remanerent in manus domini vsq. ad tertiam pro-
 clama, super eisdem fac, et super hoc dies datur.
 est partibus p. rati essendi ad proximam cur. ma-
 nerii p. rati ad audiendum inde iud. suū super
 p. rati, et ad hanc curiam tene ibidem tali die
 et tam p. rati A. B. q. p. rati, E. F. venire et
 super hoc secūda proclamatio fact fuit super p. rati
 missis, q. si aliquis aliquod ius, vel titulum ad p. rati
 dict messu terr. p. ratas et haberet aut p. rati, et
 veniret et audiretur. Et nullus venit et super hoc
 dies dat. est partibus p. rati essendi ad proximā
 cur. manerii p. rati ad audiendum inde iudiciū
 suum Et ad hanc cur. tene ibidem tali die, et, tam
 p. rati A. B. quam p. rati E. F. vener, et super
 hoc tertia proclamatio facta fuit super p. rati
 quod si aliquis aliquod ius vel titulum ad p. rati
 messu. terr. p. rat, et croft. vel in aliqua eorum parcel-
 la haberet, vel p. rati, et veniret et audiretur
 et nullus adhuc venit. Et super hoc dominus
 per. J. G. Beneseallum suum concessit sessinam,
 de p. rati messuagio, terris, p. ratas, et crofts,
 cum eorum pertinentiis, p. rati G. R. tenen-
 dum sibi hereditibus, et assignatis suis secundum
 consuetudinem manerii p. rati, et dat. domino

Surreynge

De fine ad ingressum. sc. et admissus est indetentis
et fecit fidelitatem,

**The fourme of a coppe in annexente demeyne
where the wyfe shalbe exampned.**

Dale

Ad curiam tentam ibidem tali die anno. sc. :
E. C. de R. et W. brozeius hic in plena curia sol
examinat et confess. sursum reddiderunt in manus
domini unum messwagium et dominiam bouata
terram, et unam quatronam terre cum suis per
tinentiis in R. predicta voc. **Ad opus W. C. de**
D. unde accidit domino unum equum de heriot
to, et super hoc venit dictum **W. C.** et cepit de do
mino dict. messwag. et cum suis pertinentiis ha
bendum et tenendum sibi et Anne uxori sue et he
redibus et assignatis ipsius **W.** imperpetuum se
cundum consuetudinem manerii, per reddendum
consuetudinem, et seruitium inde prius debet. et
conferet, et dant domino de fine pro ingressu ha
bendum dict. mess. et ceteris premissis. et et data
eis seisinam et fecerunt fidelitatem,

**In other forme for terme
of lyfe**

Ad hanc curiam, et venit J. C. et J. brozeius
ipsa sola examinata coram Senescallo: et sursum
reddiderunt in manus domini unum tenementum
cum pertinentiis in A. iac, inter tenementum **J. B.**
ex parte orient. et tenementum **E. C.** ex parte occi
dent, et abbuttat super altam viam ex parte au
strali et super gardinum **E. C.** ex parte boreali ad
opus **G. H.** et J. brozeius eius ad terminum vite e
orum et alterius eorum diutius viventis secun
dam

Surrepunge.

¶ Dum consuecudinem manerii, et dant domino de fine: &c. & fecerunt fidelitatem.

¶ An other forme vpon condicyon.

¶ Ad hanc curiam. i. &c. venit. J. C. & sursum reddidit in manus D. mini vnum cotagium iacent. &c. ad opus J. D. &c. tenendum sibi et heredē suis de domino ad voluntatem Domini secundum. &c. sub conditionibus subsequētibz, videlicet si p̄dict. J. D. soluat aut solui faciat p̄fatis. J. C. p̄ s. ad fest. vicē &c. p̄ximo futuro post data huius curie, q̄ tunc p̄fatis sursum reddit sit in suo robore et effectu, & si ipse defecerit in solutione solutionum p̄dictet in parte vel in toto, qd ex tunc bene licebit p̄fatis. J. C. & assignatis suis reintare & rehabere p̄dictum cotagium, ista sursum reddidit non obstante in aliquo, et dat domino de fine &c. et fecit fidelitatem &c. et admissus est, &c.

¶ An other maner of surrendre made to the

Baylyffe oute of the Courte.

¶ Ad hanc curiam. &c. compertum est qd. C. C. extra curiam sursum reddidit in manus J. D. balliui in p̄sentia D. B. et aliorum tenentium domini huius manerii, hoc testante vna macta terre in G. quondam M. B. ad opus E. 3. cui dominus inde concessit seisinam tenendum sibi & heredibus. &c. de seruic. &c. et dat, &c.

¶ An other forme, where the lord graunteth a coppe of his specyall graunte.

D. iii.

ad

Surree puge.

Ad curiam apud D. tent. ibidem tali die r. an
r. p. pceptum fuit balliuo seisir. in manu domine,
vnum tenementum siue messuagium cum pertin.
J. B. voc. E. eo q ipse alienauerit, et vendidit di
ctum tenementum cuidam J. E. sine licentia do
mini, et inde respōdebit domino de exitibus quo
usq, r. et qd in ista eadem curia dominus ex sua
gratia speciali concessit dictum tenementum cū
pertinentiis p. prefato J. B. cui dominus inde con
cessit seisinam habendum sibi et heredibus. r. de
domino ad voluntatē scdm. r. et dat. r. et fecit. r.
In other maner for terme of yeres, where the
lozde shall kepe reparacyon.

Ad hanc curiam dominus per J. f. senescal
lum suum concessit J. E. vnum messuagium cum
domibus superastatibus et aduersas terras p. a
ta pascuas et pasturas cum sepiibus fossat, rom
nibus aliis suis pertin. voc. A habend. et tenendū
sibi et assign. suis a festo sancti Michaelis archā
geli p. proximo futuro post dat. huius cur. vsq ad fi
nem et terminum quadraginta annorum, ex tunc
p. proximo sequentium et plenarie complendū,
redd. inde annuatim r. s. ad duos anni terminos
videlicet, r. per equales porcion, p. ouisio sepe
qd durante termino p. dicto p. dict. dominus i
ueniet incrementum totiens quotiens necessariū fu
erit dicto tenemento ad emendandum reperādū
et sustinendum et dat domino de fine. r. et fecit
fidelitatem. r.

In other maner, where a man pretendeth a ty
tle, and after releaseth in the court.

Ad hanc cur. tent. r. compert. est, qd cum dñs
per J. f. senescallū suū, ad cur. tent. apd. A. tali
die et an. r. concessit extra manus dñi J. B. et her.
suis

luis vnam petiam terre continentem circa tres a-
cras terre sine plus siue minus habeat quondam
E. L. in **A.** facientem inter terr. **P. Q.** ex parte au-
strali et terram **R. S.** et habendum, et ad volunta-
tem domini secundum, et et postea venit quedam
Alicia Gate coram prebato **A. F.** senescallo domi-
ni et pretendit habere titulu in predicta pecia ter-
re, et hinc presens in curia remisit et relaxauit et
imperpetuum quietum clamauit prebato **A. B.** et
hered. suis per licentiam domini totum, ius suu
et clameum, que habet, vel habuit, vel in futuro
habere poterit in predicta pecia terre, et in qualibet
inde percella. Ita vitz q ipsa alicia nec hered
sui, nec aliquis alius nomine corum aliquod ius,
vel clameu in predicta pecia terre de cetero exiger-
re, vel vendicare poterit, sed ab actione iuris vel
clamei sint exclusi per presentes, et dat domino.
et et fecit et.

An other forme, where the heyre, is admytted
to his land, after the death of his father.

Ad hanc curiam tent. et compertum est quod
A. B. obiit seiscitus post vltimam enriam, qui de
domino tenuit sibi et heredibus suis vnam place-
am terre voc. **E.** et inde obiit seiscitus, et dicunt **R.**
S. filius eius est proximus heres, et plene etatis,
vel infra etatem vitz, xii annorum et in custodia
E. M. vel **S. B.** frater eius, vel consanguineus e-
ius est proximus heres eiusdem **A. B.** et plene eta-
tis, et presens hic in curia petiit admitti, et admis-
sus est inde tenens, tenendu sibi et heredibus suis
de domino ad voluntatem Domini secundum
consuetudinem, et et dat, et et fecit et.

An other forme of landes taylord with
a remayndre ouer.

Surreynge.

Ad hanc curiam compertum est, quod **R. B.** de **A.** ad curiam tentam apud **E.** tali die et anno, sc. sursum reddidit in manus domini unum tenementum et tres acras terre voc. **Lad** apud **B.** **A.** filii eiusdem **R.** et **A.** vxore eius quibus dominus concessit seisinam, Tenendum sibi et heredibus de corporibus eorum legitime procreat. Et si predictus **R.** et **A.** vxor eius sine herede de corporibus eorum legitime procreat obierint, quod tunc predicta terra et tenementa cum suis pertinentiis remaneant recte heri ipsius **R. B.** Et modo curia ista informaretur per totum homagium, quod predictus **R.** et **A.** obierint sine herede inter eos procreat et predictus **R. B.** similiter, et super hoc venit **J. B.** frater et heres predicti **R. B.** et petit admitti, et admissus est tenens. et et per licentiam domini prefatus **J. B.** concessit predictum tenementum et terras, que ei remaneant post mortem predictorum **R. B.** et **R. A.** et **A.** vxori eius, remaneret, **vid.** **A.** et heredibus suis, cui dominus inde concessit seisinam tenendum ad voluntatem domini secundum, et et dat, et et fecit, et,

In other maner toz terme of ipse, with
byuers remainders
ouer.

Ad hanc curiam venit **R. B.** et sursum reddit in manibus domini unum melwagium, et octo acras terre customar, voc. **A.** ut dominus faciet in de voluntatem suam, et Dominus inde habetque seisinam. Et ex gratia sua speciali recessit predictum melwagium et terr. prefato **R. B.** et **A.** vxori eius durante vita eorum, ita quod post eorum Decessum dictum tenementum et terra remaneant
, **vs**

W. vxor **A.** durante vita sua, et post decessum ipsius **W.** predict terre et tenementa remaneant rectis heredibus ipsius **W.**, in perpetuum tenendi, eidem **W.**, et **J.** vxori eius durante tota vita eorum per virgam ad voluntatem domini secundum. et in forma predicta, salvo iur. cuiuslibet et predicti **A.** et **J.** donec domino de fine. et fecerint fidelitatem. et.

I Surrendre out of the Courte, and a remaynder with a condicpon.

Ad hanc curiam compertum est, quod **W. f.** languens in extremes cursu in redditu in manibus **W. R.** extra curiam per manus **J. R.** in presentia **A. L.** et **B. D.** tenent huius manerii hoc testanter vnum messagium compertinentis, et ad opus **A. vxor.** predict. **W. f.** tenendum sibi per seruicia inde debitam secundum consuetudinem manerii, pro termino vite sue, ita quod post mortem dicte **A.** predictum messagium remaneat **J. filio** predicti **W. et A.** et hered. de corpore suo legitime procreat. Et si contingat **J.** obier, sine heredibus de corpore suo legitime procreat quod tunc predict. messagium reman. **W. filio** predicti **W. et A.** et hered. de corpore suo legitime procreat. Et si contingat predict. **W.** obier et. et. quod tunc predictum messagium per executores utrumque eorum diutius viuunt vendat, et denarios inde recept et prouenerint pro animabus parent suorum et eorum in pijs vltibus, et operibus caritativis in missis celebrandis et elemosinis distribuendis, prout melius eis viderint expedire pro animabus antecessorum et predecessorum suorum, quibus dominus inde

Subuepyinge

inde concessit cessinam tenendam in forma predicta ad voluntatem domini secundum consuetudinem manerii, et dant domino de fine. sc. et. fecit fidelitatem. Et nota qd si vnus eorum obiit, heres eius sit infra etatem, fidelitas respectuatur: quousq; ad etatem veniat.

¶ A supplicacyon to be exempte from almes
uer inquestes and iurpes within
the lordeshyppe.

¶ Ad hanc curiam venit **R. C.** instant. supplicando prout ipse per plurem tempora transacta supplicauit. Et proferit domino finem annualem nomine exemptionis, vt ipse et sua gratia speciali et fauore ob causam senectutis infirmitatis et debilitatis sue possit exonerare de cetero, ab omnibus et singulis inquisitionibus iuramentis et officii: quocumque, tam in hac villa quam alibi infra diuinum domini sibi obiciendum et assignandum, quapropter aspecta vero senectute, vna cum infirmitate et debilitate sua sub fine annuali nomine exemptionis inde prolate ac suggestionis eius pertinentes et visus quam ipsu veraciter congrua testificata in premissis, modo dominus concessit in ista curia per **J. F.** senescallum suum prefato **R. C.** huiusmodi licentia fauorem et exemptionem ad terminum vite sue duratur, et predicti **R. C.** dat domino de annuati redditu persolendum annuatim. cum diad terminos vsuales.

¶ Ad hanc curiam venit **J. D.** et dat domino de fine pro secta cul. respectuand per vnum annum, vt patet.

¶ Ad hanc curiam venit **J. D.** nativus domini huius manerii, et petit licentiam ad maritandum filiam

Hueneynge.

'reit

fulam suam infra Dominum istud, vel extra, et dominus per W. C. Deneſcallum suum conceſſit licenciam, et daret,

¶ **Memorandum** that there is no maner of estates made of free lande by poolle dede or dede indented, but like estates may be made by copp of copp landes, yf they be wel made & entred in the court rolles. And the Stewarde is bound by lawe and conference to be an indifferent iudge betwene y lord and his tenauntes, and to enter their copies truely in the lordes court rolles, the which is a registryer to the lord to knowe his ptesydence, ry somes, and scrutes, and also a great suretye to the tenauntes, that their coppes were losse, they may vouch and resoꝛte to y lordes court rolles and the Stewarde maye make them newe coppes, accordyng to the olde ptesydent in y lordes court rolle, lyke as at the commonlawe whan a matter in varyaunce bytwene two me is past by verdie and iugement giuen therof, and entred in y kinges recoꝛdes, there it resteth of recoꝛde & also yf a dede or a patent be inrolled, there it remaineth in lyke maner, so that yf any party wyl haue any copp therof, they may sue to the Judges & y officers of the place where the recoꝛde lyeth, & haue a copp therof exemplified vnder y scale of office of the same place, where suche recoꝛde lyeth, and may plede the same recoꝛd in euery court y king hath, and the Lordes Stewarde maye do in lyke maner, &c.

¶ **The othe of al maner of officers generally.**

¶ **To whome the Stewarde shal saye, Ier thy hand**

Sueneptinge.

hande vpon the boke, and saie after me. I shal true cōstable be, true thyldebozowe true rcue, true franke plegē, true tythingmā, true ale taster, true wodewarde, and trewe pynder, with such other officers that be vsed to be swozne in the lordes couēte, and trewe p̄sentmente make, and truely and duely do and kepe all thinges that belōgeth to myne offyce to do. So helpe me god and my holydome, and kysse the boke.

The othe of a Denyson.

I shal true lyege man be, and true sayth heare to kynge Henry that now is, and to his heyrēs, and no treson do, nor there vnto assente, nor no theft do, nor no theues felow be, nor any of them to knowe. But that I shal enforme & do to wytte them that be þ̄ kinges officers therof, that haue the lawe to gouerne, and I shal be buzome and o bedpente to Justyces, Commysioners, Sheryffes, Archetours, baylyffes, and constables, and to all other officers of the kynges, in all thynges that they commaunde me to do lawfully. So helpe me god and holydome.

buzome

The othe of a feroure.

I shal truely assere this courte, and hyghe no man for no hate, ne lowe no man for no loue, but to set every man truely after the quantyty of his trespass to my knowledge, launge to a Gentyllman his counteynaunce & his householde, a marchaunt his marchaundysse a husband his tenure and his werke beytes, to his ploughe, So helpe me god and my holydome.

This

Thys artycle gothe farther. Et quantum red-
bant per annum de reddit. a. l. s. And howe much
they yelde by the yere of rent of a. l. s. And fyrt
ye shall know, that there be thre maner of rentes
that is to saye, rent seruyce, rent charge, and rent
secke. Rent seruyce, is where a man holdeth hys
landes of hys lord by fealtye and certayne rent,
o. by homage, fealty and certayne rent, o. by any
other seruyce and certayne rent. Thys is a rent
seruyce. & if the rent be behynde at any day & it
ought to be payde at, the lord may distrayne for
that rent of comen ryght, and yf the lord pur-
chase parcel of the sayde lande that the rent goth
out of, the rent shalbe appoyncioned, excepte it be
an entiere rent, as a sperhawke, o. a horse, o. such
other that can not be seuered, for then the rent is
extyncte and gone for ever. &c. Rent charge is
where a man is leased of landes in fee and graun-
teth by pole, dede, o. by dede indented, an annuel
rente going out of the same landes in fee, o. in fee
taylor, o. for terme of lyfe, w. a clause of distresse,
that is the rent charge, & the graunt may distrayne
for the same rent bycause of the clause of distresse.
But yf the graunte purchase parcel of the sayde
landes, wherof the sayd rent goth out & hole rent
charge is extincte & gone for ever. For such a rent
charge may not be appoyncioned, bicause the lan-
des come to his owne possession by his owne acte
o. dede. Rent secke, is where a man leased of lan-
des in fee, graunteth a rent going out of the same
wythout a clause of distresse, that is a rent secke
and it is called a rent secke, bycause there is no
distresse incydent no. belongynge to the same. Al-
so yf a man by dede indented make a feoffment
to

But 4. eping

in fee or in fee taylor, the remainder over in fee or
for term of life remainder over in fee, reserving
to him certain rent without any clause of dy-
stresse in the same, that is a rent secke, and if the
graunte, were never leased of the sayd rent, he is
without remainder by course of the comen lawe
There is an other maner of rent that is no thet
rent seck, rent charge, nor rent secke, and that
is called rent annuel, And that is where as a
man graunteth by his dede, an annuity of .x. s.
he is more or lesse, and chargeth no lande with the
payment of the same. That is a rent annuel, and
it chargeth the persone that graunteth the sayd
rent by a writte of annuity, and in some cause a
rent charge may become an annuel rent, as and
a man graunt a rent charge out of his land with
a clause of dystresse, the graunte is a liberty whe-
ther he will dystreigne for the rent, or sue a writte
of Annuity agaynst the grauntee. And yf he sue
his writte of annuity, the lande is discharged of
any dystresse, and therefore the grauntee may
make a provision in his grauntes, *provisio sem-
per, quod presens scriptum nec aliquid in co-
spectu
ficatum non aequaliter se extendat ad onerandum
personam meam per breve, vel actiones de annuitate,
sed tantummodo ad onerandum terras et ten. pre-
dictas annuati redditus. And this provyse had, the
landes be charged and the persone discharged.*

¶ Of those free tenants that sue to the courts
of the county, and who se with not and
how muche falleth to the lord of
the decrease of such tenants, Cap. xii.

¶ Item inquirendum est de predictis libere te-
nantibus

rentibus, et qui sequuntur ad curiam ad com- in
comitatu, et qui non, et quantum accidit: domi-
no post mortem talium liberorum tenentium. It
is to be enquyed of the forsayde free tenants,
whych of them shall folowe the court of the coun-
tye and whiche not, and what shall fall vnto the
lozde after the death of sute free tenants. We
semeth that all maner such tenants that holde
theyr lande by such scrupce haupng charter land
ought to folowe the court of the county, yf he be
sommoned to appeare excepte he haue a specyall
graunt by chartour of the kyng to the contrary
and to be sworne in inquieres before the iustice
of peace, Justyce of the assise, excheters coroners
and al commysyoners of the kinges; & betwene
petye & party, as the lawe hath ordarned it, how
bett' in some case he shal dyspend & haue more lan-
des than in some case, & is to say yf the damage
in plee personel, as det. trespass, detinue, & sath v-
ther be declared vnder & value of xl. markes th-
a freholder that hath any charter l-nd, he & more
or lesse may passe betwene party & party. And al-
so he is suffyciet to enquerer for the king in every
bpl of inditement of felony, & so is euery consta-
ble and free man though he haue no lande. But
there shal no constable nor freholder enquerer of
riot nor forsayble entres, wprthou he may dyspend
xl. s. clerly. And therfore se the statute of king Ri-
chard the, ii, & king H. p. vii. And also wher the
damages in plee personel be declared xl. markes or
aboue, the freholder must haue l-ndes to the l-ndes
value of, xl. s. And euery man that shal passe
of lyfe and death and for tytle of lande, be it ne-
uer so lytle, he must haue landes vnto the value
of

Surueynng

of. xl. s. clerely, aboue al' charges. And in assaignt
yf the thyng in demaund and verdyte vpon that
gauen, extende to the value of forty li. or aboue,
(That euery man of the graunde Jury must haue
landes to the value of xx. li. of freholde out of ann
spent demeyn, and of landes in Chapelkinde. xx. li
and yf it be vnder the value of. xx. li. than xl. s. of
freholde is suffycent. The statute reherseth fur
ther. Quid et quantum accidit domino post mor
tem talium libere tenentium. What and howe
much falleth to the lord, after the death of suche
freetenautes, That is and maye be dyuers ma
ners of rentes, customes, and seruyces. As and a
tenaunte holds of the lord by knyghte seruyce de
cesse hys heyre beyng of full age, the lord shall
haue for euery knyghtes fee, that the tenaunt hol
deth of the lord, L. s. of hys heyre in the name of
reliefe. For the which the lord maye distrayne in
euerie parcell of that lande: that is so holden of
hym for the same of comen ryght. And yf it bee
vnder a hole knyghtes fee as halfe a knyghtes fee
the thyrde parte, or fourth parte, or the. xx. parte
more or lesse, the reliefe shall be appoysonate, ac
cordinge to the same, and shall pay hys chefe ren
tes (yf any be) neuertheles. And yf the tenaunt de
cesse, hys heyre being wythin age of. xxi. yeres, the
lord shall haue the warde and the keepinge of the
body, during his nonage, and yf he be vnmarried
they his maryage to geue or sell to whom he wyl
wythout dysparagemente, and when he cometh
to full age, he shall paye no reliefe, and yf he be mar
ried, and vnder the age of. xxi. yeres, he maye re
fufe and pylagee, but how the garden of his com
myt or gawnet shall stande, and offer maryage to
the

Duttyng.

the ward, and yf the warde, refuse the offer or yf
the warde be rauyshed and of wardes because of
wardes, and of dispargementes of wardes and dys
agrementes after marpage and of wast done by
the garde, or his commyt or graunt, toyth mo as
tycles parteypage to the same I remyt at those
poyntes to men of lawe that haue knowlage and
experyence therof for it toucheth not my mattee
that I create of. And yf the tenants haue issue
female aboue the age of xiiii. yeres, be she maye
or not married; the lord shall not haue the ward
ne the marpage, because the lawe entendeth that
she hath a husbande or may haue at that age, sa
ble to do suche seruyce. But and the heyre female
be vnder the age of xiiii. yeres vnmayed & lord
shal haue bothe the landes holden of hym and the
marpage tyll she come to the age of xiiii. yeres, &
two yeres further to tender her marlage in, if she
be vnmayed. And at the two yeres ende, she may
eure into her landes, and put out her garde and
to mary at her pleasure but and she be married be
fore the age of xiiii. yeres in the lyfe of her aunc
ter, & then her aunceller dye, & lord shal haue the
warde of the land to the age of xiiii. yeres, and
her husband and she may entre and put out the
lord, and yf the tenants holde of two lordes by
knightheseruyce, of one by ppyrty, and of an o
ther by possertye and dye, the lord, that the ten
ant holdeth of by ppyrty, shal haue the ward
of & body, be it heyre male or heyre female though
there be iiij. or iiii. daughters for all they are but
one heyre to the landes, that be holden of hym
And the other lordes, to whome the landes be hol
den of by possertye, shal haue those landes bot

Durynge

den of hym selfe and nothyng elles. And yf the
tenant holde landes of one lord by knyght ser-
vyce, and also holde landes of another lord by so-
cage and byc (hys heyr being wpythin age) the
lord, of whom the landes be holden of by knyght
servyce, shall have the ward and marpage of the
heyr, and the landes holden of hym, but he shall
not have the landes holden in socage, nor the lord
of whom they be holden of nother. For thoselan-
des holden in socage durynge the nonage shall go
to the next of the bloude, to whome the inhery-
saunce may not dyscende; whercof he shall make
accounte to the heyr whan he cometh to full
age. And if the heyr be of full age at the decess
of his auncestre, he shall pay a relefe to every lord
that he holdeth any land of, yf relefe be due to be
payde by reason of his tenure. But in case that a
tenant holde divers manours of divers lordes
by knyght servyce, and have but one parcell of
lande holden of the kynge in capite, the kynge shall
have of the hole landes holden of every lord du-
rynge the nonage, and the marpage of the heyr,
yf he be unmarrped, and yf the heyr be under the
age of xiiii; yere and wpyt dysagre to the marpage
than the kynge shall have the marpage of hym of
het, or the value thereof, and the kynge shall paye
no chiefe rente durynge the nonage, excepte it be
founde due to be payde in the offyce of the exche-
quer, and many other thynges maye falle to the
lordes, as herpottes, and other customes accorde
dyng to therr ogygnal dedes, and vsc of the man-
ner. And ye shall understande that there be two
maner of herpottes, that is to wete, herpotte sen-
sorye and herpotte custome, Herpotte sensorye

where a man hath geuen landes & tenementes
to an other manne and to his heyyes, to holde of
hym, and of hys heyyes, as befoze the making of
the Statute. *Quia emptores terrarum.* or in the
the making of the sayde Statute, to holde of the
chefe lord of the fee, by the seruyce thereof due
and of right accustomed, reseruyng to hym cer-
tain rentes, herpyttes, or anye other custome.
Thys is rent seruyce and herpytt seruyce because
it is expessed in hys original dede, herpytte cu-
stome, is wheren a man hath a lordshyppe, wher-
in hath bene vled tyme out of mynde, that euerye
tenant that holdeth any mece place of the lordes,
shal geue hys beste quyeke good in the name of a
herpytte to the lord, and he that hath no quyeke
good, shal geue his best dead good. And in some
place the tenaunte shall geue for euerye mece place
that he holdeth a herpytte, though the houses
were lette downe an hundred yere befoze, the
whiche mece shulde be a great byberye and
ertozyon, as I sayde in the prologue of this tre-
tyse. And therfore it is wisdom for euerye man
to take his house by indenture, or by copy, wher-
in maye be expessed, what rentes, herpyttes, cus-
tomes and seruyces the tenaunte shall paye, and
do, for a lord maye abydge and make lesse hys
custome by wytyng, but though he make wy-
tyng, and specyfy what rente he shall paye, he
muste saye further, for all maner rentes herpyt-
tes, customes, and seruyces, and in some lordes
shyppe euerye man that dyeth within the same,
be he the lordes tenaunte or not, shall paye an
herpytte.

In so much that if a steaunge
manned ride or go by the wye and dy within

Durueyinge

Suche a lordshyppe, he shall paye an heriot, the whiche is playne extortion, and agaynst the comen ryght. For betwene the lord and hym that died was none other priuyp of bargain or couenaunte. And in some lordshyppe the lord shall take the heriotte before the person or the vicare, hys mortuare, and in some places the church be fore. And that is, as it hath bene accustomed and vled tyme out of mynde. But for the mooste parte the lord taketh before, because the lord maketh couenaunt wth hys tenaunt in his life that he shall haue his best quicke good, at his desesse, and the mortuare is not due tyll he be deade. And the heriotte was couenaunted and graunted before in hys lyfe, and þe fyrst bargayn must be obserued and kept. And also in some places it is parted bytwene the church and the lord. and that is, wher he that is dead hath no more quicke good, but one horse or one beast, and that he that hath be vled to chose fyfthe, shall haue the better parte by one penny, but of dead good, eyther party shall haue one. But there shall nother of them take any dead good, as long as there is any quicke goodes, and in many lordshippes it is vled that the tenant leaue his house by his owne wil wthout any dyscharge of the lord the tenaunt shall pay hys best quicke good, to the lord in the name of an heriot, and in some lordshippes it is accustomed, that and the tenaunt depart from þe lordshyp by hys owne will, he shall make a fine with the lord for hys departynge and mooste comenlye it is. ii. s. and it is called a farfree, or a farewell. And such a tenaunt that goeth at his owne will shall make all maner of reparatyon, and that tenant

maunte that is dyscharged by the Lorde or by his officers, shall make no reparacions, except he be dyscharged for not doyng reparacions. &c.

¶ How many customary tenants there be and how much landes uery of them holdeth & what werkes and customes they doe, and what the werkes and the customes of euery tenant is worth by the pere, and how much euery of them payeth, ouer the customes & werkes,

¶ *ca. xii.*

¶ Item inquirendum est de customariis vide licet quot sunt customarii, et quat. terre quilibet customarius teneat, quas operationes & quas consuetudines facit, et quantum valent per opera & consuetudines cuiuslibet customarii per se per annum, et quantum redditum de redditu assise per annum propter opera et consuetudines, et qui possunt talliari ad voluntatem domini, et qui non. It is to be enquired of customary tenants, that is to wpte, howe many there be, and how muche lande euery tenaunt holdeth, and what werkes & customes he dothe, and what the werkes and customes be worthe of euerye tenaunte by it selfe, howe muche rente by the pere, aboue his werkes and customes, he dothe paye, and whych of them maye tare theyr landes at the wpl of the Lord. and whych not. Customary tenants are those that holde theyr landes of theyr lord by cōpye of courte role, after the custome of þ maner. And there maye be many tenants within þ same maner, that haue no coppes, and yet hold by like custome and seruyce at the wpll of the lord. And in myne opinyon, it began sone after the cōquest

Dumuepunge.

When William Conquerour had conquered the
Reame, he rewarded all those that came with
him in his vyageroyale, accordyng to theyr de
gree. And to honorable men he gaue lordshippes
maners landes, and tenementes, with all the in
habytauntes, men and women dwellynge in the
same, to do with them at theyr pleasure. And
those honorable men thought, that they must ne
des haue seruautes and tenauntes, and theyre
landes occupped with tyllage, wherfore they par
doned the inhabytantes of theyr lyues, and caused
them to do allmaner of seruycce, that was to be
done, were it neuer so vyle, and caused them to
occuppe theyr landes and tenementes in tyllage,
and toke of them suche rentes, customes, and ser
uyces, as it pleased them to haue. And also toke
all theyr goodes and catell at al tymes at theyre
pleasure, and called them theiyr bondemen, and
fyrthe that tyme many noble men bothe spiritual
and tempozall of theyr godly dysposycyon, haue
made to diuers of the sayde bondemen manumif
syons, and graunted them fredome and libertye,
and sette to them theyr landes and tenementes to
occuppe, after dyuers maner of rentes, customes
and seruyces, the which is vled in dyuers places
vnto this day. Howebeit in some places the bond
men contynewe as yet, the whiche me semethe is
the greatest inconuenience that nowre is suffered
by the law. That is to haue any chryste mā bound
den to an other, and to haue the rule of his body
landes, and goodes, that his wyfe, chyldre, & ser
uautes haue laboured for al theyr lyfetime, to be
so take, lyke as it were extorcion or harybery. And
many tymes by colour therof, there be many fre
men

men taken as bondemen, and they: landes: & goods taken from them, so that they shall not be able to sue for remedy, to proue the selfe free of blood. And that is mooste commonly, where the free men have the same name as the bonde men have, or that his auncesters, of whome he is comen, was manumysed before his byrth. In suche case there can not be to great a punishment. For as me seemeth, there shulde no man be bonde but to God and to his hyge & pryncer over hym. Quia Deus non facit exceptionem personarum. For god maketh no exception of any persō. wherfore it were a charitable dede, to currey noble man both spiritual and tempozall, to do as they wolde be done by, and that is to manumysse them that be bonde, and to make them free of bodye and blood, reserue unto them they: rentes, customes, and scrupces of olde tyme due and accustomed, wher they maye get the payers of the partye, and semillis of they: offences as in the gospell. *Eadem mensura, qua metimini succitis metietur vobis.* The same measure that ye do mete to other man, shall be metten to you. In many lordes wyppes there is a customary: rōle bytwene the Lozde and his tenants, and it ought to be indentented, one parte to remaine in the Lozdes heping, the other parte with the tenants, and divers true copies to be made of the same that the rentes and customes sonne nat oute of remembrance. And also a suptrōle, to call al those by name, that oweth any suptrō to the lozdes court, and than that there be no conselmente of the suetours, but that the Steward maye knowe who is not there, and of any suetour decelle, the name of his next

Surreynges.

heire wolde be entred into the same rolle, and
when enquery made and presented, what he held of
the Lord. And by what rentes, customes, and ser-
vice of every parcell by it selfe, and who is his
next heire, and of what age he is of, this truly
done and entred into the rolle, it wolde be a con-
veyance of descent in maner of a pety degree, and
profitable to the lordes, and also to the tenants
cause pety. The name of every tennantie must be
put in the rolle, and his meile place to be buttred
bounded, as it lyethe in length and bryde, and by
what whome. And also his landes, medowes,
leys, and pastures lyke wyse buttred and bounded
that it maye be knowen many yeres after, who
dwelled there, and what lades, medowes, and pa-
stures laye to the same at that tyme. And what
werkis and customes the tenant doth for every
parcell, and what þe werkis & customes be worth
in a yere, and howe muche rent the tenant dothe
paye for every parcell, besyde the customes and
werkis, to the entent, that yf any parcell of land
medowe, or pasture be alpened, sold, or charged
or put from one tenant to an other. The lord
and his heire maye knowe what rentes, custo-
mes, and werkis he shal aske and have of the oc-
cupier for every parcell. And it is the most spect-
al poynte that longeth to a Surreyng, to butte
and bounde truly every parcell by it selfe, and to
knowe what rentes, werkis, and customes, and
servyces, goeth out of the same, for than maye he
make a true rental or customary rolle, and put al
thynges in a certenre.

Cf cotiers, what cotages & curtilages they
holde and by what servyce, and howe muche rente
they

they paye by the yere. &c.

Cap. xliii.

Item inquirendū est, de cotagellis, que tota-
gia & curtilagia dicuntur, et per quod. servit. & quan-
tum reddant per annum, pro predict. cotagillis et
curtilagiis.

Also it is to be enquired of Cotagers, what co-
tages and curtilages they holde, & by what ser-
vyce and what they yelde by the yere for the fore-
sayd cotages, and curtilages. This chapter and
the next p[re]sident, be both of one effect, but that
it is to p[re]sume, that there is not so much rentes
heriottes, customs, and servyces, to be payd
for a cotage, as there is for a messe place or a
better tenement, but it may be lyke custome and
servyce.

Of perquesytes or profytes of counties, of
courtes, and of forrestes, what they be
worthe by the yere. &c. Ca-
pitulo. xv.

Item inquirendū est de perquesitis commis-
sarium, cur. forestariorum, cum predictamentis
eorum, et quantum valent per annum in omni-
bus eccl[esi]is.

Also it is to be enquired, of p[er]quesytes and
profytes of the counties, of the courtes, and of p[er]
forrestes with the cutting of the dogges clayfe, &
howe much they be worthe in the yere in all the
issues and profytes. This chapter toucheth not
the offyce of a Surveyour but lytell, for p[er] issues
and profytes of the counties, scythes, and assyses
are mooste commonly the kinges, and they be kept
and ordayned by the mynstre and the Justices of
peace that be ordayned and put in commissiō by
the kyngs and his counsaile, and the issues of
profytes

Surueynges

profytes of them are excepted by the sayd Justyces, and returned into the Kinges Eschequer, and there they rest of recorde, the whiche afterward is extrepted agayne, and sende downe to the Shyreffes of euery countre to leuy and gather by the same, and therof to make an accompte in þe sayd Eschequer, & it is called **Grene woorre**. And the courtes of þe forrestes be ordayned & kept by the Justyces of the forrestes and theiꝝ deputies, and the issues and profytes therof, the which cometh most comenly by fynes and mercymentes, are not extrepted into the Eschequer, but made oute by the stewartes to the bayliffes & other officers of them that oweth the forrest. And there me semeth the Surueyours may lye with the Justyces of þe forrestes for one thyng specially, and that is this that no towneshipp nor hamell enter comen with in the forrestes, chases, wastes, heythes, mores, & suche other greate commens, but all onely suche that of ryght ought to haue comen within the same. Wherfore it wold be ordayned, that euery towneshippe and hamell, that ought to haue any suche comen in anye forrestes, chases, wastes, mores, heythes, and suche other greate commens, where dyuers towneshippes and hamells enter comen together, euery towneshippe & hamell ought to haue a byuers byenning yron, and euery beste horse, mare, and colte, that is put vpon þe comen ought to be byenned in some parte of his bodye with the sayd yron, and than shall euery beste be known of what towneshippe he is. And that were a great redynesse vnto the keepers, and also a greate sauegarde for scalynge of the cattel. And than maye the keepers, regarders, goylers,

AND

and other officers of suche forrestes and chaces, haue parfite knowlege, what towneshipp & catell is of. And yf anye of the sayd officers fynd anye maner of catell, haupnge no suche by nnyng, they maye attache them and cease them as steeps, and put them in sauegarde to the Lordes vse, tyl they be yered and dayed. And they ought to aske them thre sondayes in thre oz foure paryshe churches and also crye them thre times in thre market townes. And yf no man come within the yere and the daye, and to make suffycient proue that the catell is his, than it is forsaite to the lord as a straye, and in lyke maner the swyne and shepe of euery towneshipp and hamell, ought to be pytched with the sayde byennyngeyson, oz suche an other lyke the same, but as for al other pointes and articles touchynge the forrestes, the Surueyours hath lytell to do, wherfore I remyt all other articles to the Justyces of the forrestes, and to do theyr deputies to execute theyr offyce, and ye shall know that no man shall haue a forreste of ryght but the kynge, except he oz his auncesters haue had a specciall graunt thereof by charter of the kynge and his progenytours in tymes paste, and so vsed. &c.

Of churches that belonge to the gyfte of the
Lord, how many there be, and where they
be, and what euery church is worth
&c. Capitulo. xvi.

Item inquirendum est de ecclesiis, que perti-
 nent ad donationem Domini, quot sunt, et ubi,
 et quantum valent, et quantum quilibet Ec-
 clesia valet per se per annum, secundum veram
 estimationem

Surueynge.

estimacionem illius. It is to be enquired of all
churches that belonge to the Lordes gyfte, howe
many there be, and where they be and what they
be worth, and what every church is worth by it
selfe by the yere after the trewe estymacyō of the
same. The letter of this chapyter is very playne,
and needeth not much declaracyon further than
is spoken of, but alongly in one thyng, and þat is
this, of tyme to tyme he that hath the ryght to present to
a churche at one tyme, hath not ryght to present
to the sayde churche at the next tyme. And that
is where any sole patrone of a churche hath issue
two, thre, or foure daughters and decesse, so that
the ryght of patronage of the sayde churche dys-
cendeth to al the sayd daughters, whā þat churche
is vopde, they shall presente by turne, the eldeste
daughter fyrst, than the seconde at the next quoy
daunce, than the.iii. and so forth, tyl they haue
presented ones ouer, and than to begyn againe at
the eldeste daughter, excepte they make any othe
perticyon amonge them selfe by agremente. And
than muste every one of them presente, by theyr
tourne accoꝝdyng to theyr particyō as it cometh
aboute. And so muste the Surueyour make his
booke, accoꝝdyng to the ryght of the presentaciō
as every tyme, secōde tyme, thyrde tyme, or forth
tyme, and so forth. Also what Lordes or Gentil
men haue theyr turneyse with them in the same
benefyce, and whyth of them presented laste, and
who shal haue next, and who than, tyl they haue
gone about, and in what towne it is, and what
myre and dyocise it is, and what every benefyce is
worth by it selfe by the yere, as it can be estimate
What the herpottes be worthe, the, sepyes ex
chetes

Burtheving

fo, rxi

shetes, customes, sepytes, and forrayne wether
the pless, and perquisities of the courtes,
synes, releyfes, and all other thynges
that maye fall vnto the lozde
by the yere. Capi.

folio. rxi.

Item inquitentum est, quantum valent hereditaria, nundine, tacta, consuetudines, serui, et operationes fornicie, et quantum valent placita et perquisita, fines et releua, et omnia alia que accipere possunt per annum in omnibus,

It is to be enquired what be the value of hereditaries, sepytes, shetes, customes, sepytes, and forrayne wether, and what the pless be wether, and the perquisities of the courtes synes, releyfes, and al other thynges that may fall by the yere in al. This chappter goeth in general ty, and is lyke, as when an auditour hath cast al the mynyster and pertyculer accomptes of every baylyffe or reue, and other accomptace, and hath made this booke per fyte of al the pertyculer where vpon the hole charge resteth. When whan the lozde would know what the certynere is of all his hole landes, and also of every pertyculer parcell by it selfe, it were to long a proesse to shew hym all the sayde mynister and pertyculer accomptes, and though he dyd, he shuld not knowe the grole sommes of his rentes, synes, herpottes, shetes, perbuspites, & such other euery of them by hym selfe, wherfor he wyl cause his auditour to make a value in maner of a byedgemente of all the sayd mynyster accomptes, and fyist to knowe the hole charge of al the hole pertyculers, what they be at the fyist syght, in the sommes totall.

Deupd

Durneynge

Deuyde the sommes total in dyuers parcelles, as
the chefe rentes of the freholders by the selfe, the
rentes of customary tenants by theym selfe, ten-
nautes by Indenture or tenants at the loz-
des wyl by theym selfe, so that he maye make a
grose somme of every maner of rente, so that one
rente maye be knowen frome an other. But than
must the auditour have good and perfecte infor-
macion, or elles he can not do it, and that infor-
macion must come by the surueyours & the bay-
lyffes, for they ought to know one maner of rent
from another, and therfore many rentalles wold
be made accordynge, also the perques types of the
courtes by them selfe. And those must be in lyke
maner deuuyded, as the ples by theym selfe, the
mercementes for comen trespass by theym selfe,
fynes by them selfe, herpottes by theym selfe, ex-
chetes by them selfe, and so of releases, feryes, mar-
kettes, and all other casualties, every of them by
them selfe, and ought to be presented in the court
by them selfe. And thereof to be made an escripte
to the baylyff or reue to gather by, and broughte
into the accompte of the auditoure, the whiche
he maye deuuyde in makynge of hys value, yf the
accomptance bynge hym perfecte rentalles, and
court rolles, and not elles. But yf they do not at
the fyrst tyme he must teache and informe theym
how they shoulde make them payser. Also cu-
stomes seruyce, and workes, be ofte tyme done
by bodely seruyce, and workes, and then they be
not to be accompted for, but yet meneyon wold
be made in the accompt therof. And many times
suche maner of customes, seruyces, and workes,
be tourned into money. And then it comenlye
gothe

gothe wth the rentes and the baylyffe of reue is
 charged therewth. And this thap^rerether seth
 further. Et omnia alia que acciderent possunt p^r an
 num in omnibus. And of al other thynges that
 maye fall to the lord what they be worth by the
 yere. And those may be taken as mynes of tyne,
 lode of cole, iron, stone, freestone, or the stones,
 grynbel stones, lyne stones, chalyke, fullers earth
 sande, claye, grauel, brome, gozse, or spires, marle,
 surres; thozne wood, bushes heythe, fenne, or b^ras
 hen, and such other yf there be any thing founde
 and ought to be put in a rentated a certentye, or
 els to be putte in a compte by waie of approue
 ment. And than the audytorre may deuide the
 casualtes fro the certentyes, to make a grole
 some of them all. And yet maye the value of eue
 ry thyng appere to be knowen how muche it is by
 it selfe. And than must there be deducte out of the
 last grole summe al maner of outrentes, and or
 dinary charges, as baylies, fees, reparacion and
 suche other, and than to make a clere grole sum
 of euey yere by hym selfe. And by cause of tymes
 maye casualtes fall or come to the lord more in
 one yere than in another therfore it is conueny
 ent that the clere grole somme of fyue or syxe yeres
 or mo, woulde be caste together in one grole
 some, and to deuide that some in as many partes
 as there was yeres caste together and than
 the clere value of one yere wyl be com
 menly about that some so deuyd
 ded. And thus endeth the b^ref
 declaracion of this b^ref
 state. **Extensio maneris.**
Explicit.

Queneyinge

Of dyuers maners of takyng and doyng of homage and fealty.

Capitulo, xviii.



Also muche I haue shewed dyuers dyuersytees of tenures, and also dyuers maners of makynge of coppes, and the othes of the officers of the court, though they be not expressed in the statute, me seemeth also it were conueniente, to shewe the dyuersytees and maner of takyng, a doyng of homage and feaulty. And ye shall vnderstande that homage is the most honorable seeuyce and the mooste humble seruice of reuerence that a free man may do to his lord, for when the tennant shall do homage to his chiefe lord, of whome he holdeth his chiefe maner or maner on place, by knyghtes seruyce and ppyty, he shall be vngyrded, and his head vncouered, and the lord shall sytte, and the tennant shall knele before him on bothe his knes, and shall holde his handes stretched out together betwene his lordes handes and shall saye thus. I become your man from this day forward, of lyfe and of membre, and of worldly honoure. And to you shall be faythfull and lowely and shall beare fayth to you, for the landes and tenementes the whych I holde of you, sayyng the fayth that I owe to our soueraygne lord & king and my other lordes. And the lord so sytting shall kysse his tennant, the whych is a sygne of paritt loue, And why sayth the tennant, of lyfe and of all worldly honoure. By cause he holdeth his landes of his lord by knyght seruyce, and also by ppyty

Oxyte, for and he holde other landes of another,
 Lozde by knyght seruice and posteriozty, he shal
 not save to him of life and of member for though
 he be bonde to hym by reason of hys tenures of
 knyght seruice, to go to battayle wyth his lozde
 and to putte his life and membres in leoparde,
 with his lozde yet can he not go wyth them both
 And therfore shal he go to battaile with that lozde
 that he holdeth his landes of by pzioryty. And be
 cause therof, if any such tenat dye, his heir being
 within age the lozde shal have the keppnge of his
 body, and the pzioryte of those landes that he hol
 den of him, durynge the nonage and also the mas
 rpage of hym. Wherefore it is to be pzieluppoted
 that the lozde wyll be moze lounge and kinde to
 him, than any other of his frendes would be, He
 yng than when he cometh to full age he shal put
 hys lyfe in leoparde for his lozde the whych byn
 deth the lozde by reason the rather to do for hym
 whan he is not able to helpe hym selfe, where as
 hys frendes maye fortune cared not for hym, and
 had leuer an other had the lande than he.

¶ And if an abbot, or a pziour, or any other man
 or woman of religion shuld do homage, they shal
 not say, I becoe your man. &c. bycause they be all
 onely pziessed to god, to be his men and women
 and to none other. And therfore they shal knele
 and holde theyr handes as the other did, and say
 thus. I do to you homage, and to you shal be
 faythful and lowlye, for the landes and tenemen
 tes whych I holde of you, sauinge the fayth that
 I owe to our soueraygne lozde the kyng. &c.

¶ And if a woman shuld do homage, she
 shal not say, I becoe your woman, for it is not

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conuenient, that a woman should become woman to another man, than to her husbande, whā she is maryed, And therfore she shal saye as the relygyouse men, and women do. I do to you homage, &c.

¶ And if a woman couerte with baron shall do homage, they shall knele before the lord bothe, and the lord shal take bothe theyr handes betwene his handes, and the husband shall speake al the wordes as thus. We to you do homage, and saythe to you we shall beare for the landes that we holde of you, saynge the saythe that we owe to our souereygne lord the kyng his heires and to our other lordes, and they bothe shal kisse the lord, &c.

¶ And in case a man shulde do homage vnto his lord, and the lord graunte his homage and seruyce to another man. Now shall the tenaunt do his homage and seruyce to the grantour, after thys maner. I become your man from thys daye forth. and to you shal be faythful and lowlye for the landes and tenementes that I helde of A. B. your grantour, in the townes of C. D. the which to you he hath granted my homage and seruyce in the sayde townes saynge the saythe that I owe to our soueraygne lord the kyng, and my other lordes. &c.

¶ And know you that one lord may haue done to hym dyuers homages of dyuers tenauntes, for one maner of lande. But one tenaunt shal do but ones homage for one maner of land, for though the lord dye, his heyre or his assigne, yf he sel it or graunt it awaie, they do represente the lordes estate, But and the tenat haue done his homage
to

to hys lord, And after the maner, whereof the tenaunt holdeth his landes is recouered agaynste the lord, Nowe shal the tenaunt do hys homage agayne to hym that recouered the maner, for he cometh not in by the lord but by force of recouere, the whiche proueth the fyrste homage to bee voyde, for it was done to hym that had no right to take title,

Also ye shal knowe that a man may dystayne his tenauntes cattel for homage by course of the common lawe and also for relefe. And though he a man haue payde his relefe yet he shal do homage and feaulty. Also ye shal vnderstande, that no man shal do homage but he that hath a state of inherytaunce, in fee symple or fee tayle, in hys owneryght, or in his wyues, for tenauntes for terme of lyfe, tenauntes by the curtesye nor tenaunt in dower, shal do no homage; nor take no homage. &c.

And if a man hold landes of the king in chefe and haue issue thre or foure doughters and dye al the doughters shal do homage to the kinge, And yf the landes be holden of another lord, the eldest doughter shal do homage for al, and also the seruyces, and the other doughters shal be contributoryes and beare every one of them theyr part ypon of the same,

And whan a free man shal do feaulty to hys lord he shal laye his hande vpon the boke, and shal saye thus, beare you my lord that I W. D. de E, fro thys day forth to you shal be faithfull & lowly, and sayth to you shal beare for the landes and tenementes that I claime to holde of you, and loyally shal do and pay the rentes, customes, &

fil,

seruy

Surueyinge

seruices þ I ought to do at the tēmes allygned
as god me helpe & al saynctes, and than kisse. &c.

¶ When a vilayne Mall do fealt to his lord, he
shall laye his hand vpon the booke and say thus
Here you my lord R., that I M. de. C. from thys
day forth to you shall be saythfull and lowelye
and to you shall do all the customes and seruyces
that I ought to do to you, for the landes that I
holde of you in vyllenage, and I shall be iustifica-
ble of body and of goodes, as god me helpe and
hys saynctes, and than kysse, &c.

¶ When a vyllayne that holdeth no landes of
the lord shall do fealty, he shall lay, hys hand v-
pon the booke and say thus, Here you my lord S.
that I M. de. C. fro this daye forth to you shall be
saythful and lowly, and I shall be iustificable to
you of hedye and goodes, as godde me helpe and
his saynctes, and kysse the booke, &c.

What a Suruepoure shuld do.

Capitulo. xij.

¶ Nowe this statute is bryefely declared, it
would be vnderstande how a lordshyppe or a ma-
der shuld be surueied and viewed, buttred & bound-
ed on euery parte, that it may be knowne for es-
uer, whose euerye parcell thereof was, at the ma-
kinge of this booke, and it maye serue as well to
saue the inheritaunce of the lordes, as of euerye
free holder by charter, copy holder, and customa-
ry holder, and to knowe euery mannes lande, as
it lyeth to his house one from another, so that it
maye be knowne a hundred yeaeres after, and for
euery what maner of landes and howe manye ac-
res euery man had to his house at that time, and
where they lye. The name of a Suruepoure is a
french

French name, and is as much to say in englyshe
as an ouerseeer. Than it wolde be knowen howe
a surueyours shulde ouerse oꝛ suruey a towne oꝛ a
loꝛdeschyppe. As and the cytie of London shuld be
surueyed, the surueyours maye not stande at Wy-
gate, noꝛ at Shoterhyll, noꝛ yet at the Blackes-
heth, noꝛ suche other places, and ouerloke the cy-
tie on euery syde. foꝛ and he do, he shal not see þ
goodly stertes, the fayre buildynges, noꝛ þ great
substance of ryches contayned in them, foꝛ than
he maye be called a dyscepuer, and not a suruey-
ours. And in lyke wyse yf a man shall byen a close
oꝛ a pasture, he may not loke ouer the hedge, and
go his waye, but he muste outhere ryde oꝛ go ouer
and se euery parcell thereof, and to knowe how
many acres it contayneth, and howe much ther-
of was medowe grounde, howe muche pasture
grounde, howe muche woode grounde, oꝛ bushe
grounde, heythe, lynges, oꝛ suche other, and what
an acre of medowe grounde is woꝛthe, & what
an acre of pasture, and what an acre of the woꝛe
grounde oꝛ bushe, and such other be woꝛth. And
what maner of cattell it is best foꝛ, and howe ma-
ny cattell it wyll grasse oꝛ synde by the yere, and
what a beastes grasse is woꝛth by the yere i such
a pasture, oꝛ els he can not set a true value what
it is woꝛthe. And therfoꝛe a Surueyours must be
dyligent and laborious, and not slouthful and re-
cheles, foꝛ & he be, he is not woꝛthy to haue hys
fee oꝛ wages, and maye fortune to make an in-
perfyte boke. And yf he so do, it is to his shame
and rebuke, and great ieopardye to his soule to
make a false pꝛesydente, wherfoꝛe it is counen-
ynte to remember the sayyng of the wyse phylo-

Surveyinge.

lofopher, Adhibe curam, that is to saye, take heed
to thy charge, and so yf he shulde vpon a citie or a
towne, he muste begyn at a certayne place, as and
it were at the drawe bydge of Londo bydge on
the East syde, and there to make his tytelynge
where he beginneth, and to shewe who is lord of
the house nexte vnto the sayde bydge, and who
is tennaunte. And yf he be a free holder, what che-
rente he payeth the lord, customes or other ser-
uyces, And yf it be no free holde, than the rent ne-
deth not to be spoken of but at his pleasure, for it
maye ryse and fall. And howe many fote in brede,
and howe many in lengthe. Than to the seconde
house on the same east syde in lyke maner, and
so to peruse from house to house, tyll he come to
saint Magnus church. And than returne againe
to the sayde drawe bydge on the west syde, and
there begyn at the house next to the sayd bydge,
and so to peruse from house to house, til he come
to the corner nexte Temmes strete, and than he
maye chole whether he wyll follooe the southe
syde of the sayde Temmes, strete well ward and
eastwarde, tyll he haue perused the hole parische.
And yf there be any maner of gardeyns, entrees,
or aleys, or other dwellynge places with in for the
they may not be ouershypped, forgotten, nor left
out, but taken by the waye. Howe muche euery
garden is, howe longe euery aley and entre is, &
howe many dwellynge places be therein, & whose
they be, and how many cellars or tauerners ther
be, and howe many fotes euery one of them be in
length and brede, And so to go frome paryshe, to
paryshe, tyll he haue viewed the cytie, and euery
strete and lane wolde be remembred what length
and

and brede they be of. And also every churche and churchyarde, and other voyde places the whiche wolde aske a greate leyser, but yet it is possible to be done,

¶ How a man shuld vyeu, butte and bounde, the maner and the towneshyppe. Ca. xx.

The towne of Dale,

¶ The vewe of the manere of Dale taken the tenth daye of Maye, the. xliii. yere of the raigne of Kyng henry the viii. by A. B. generall surveyour to the ryght honorable Lorde. L. D. Lorde of the same, and by his commaundemente, and also by the othes of R. F. B. R. and manye other tenants of the same, as hereafter ensueth.

¶ The sytie of the maner Dale standethe and lyethe betwene the Kynges hyghe way leadynge from the towne of A. vnto the towne of B. on the southe parte, and the churchyarde of the same towne of Dale on the east syde, and the comen felde of the same towne called the north felde on the north part. And the tenement or mesplece of Johan Coke on the west parte, and conteyneth, xx. perches in brede and. xxx. perches & four fote in length, every perche, xvi. fote & a halfe, wherupon is set the maner place suffyciently buylded with two crosse chambers of stone, of brycke, or tymber, with all maner of houses of offyce within forth, and two barnes, and an ore house, a heyehouse, and a stable, a gardeyne, and an orcheyarde. And yf it be moted about, expresse howe muche housynge standethe within the mote, and howe muche withoute, and with what maner of couerynge the houses be couered. The whiche maner with the demays, landes, medowes, leyse

f. liii, and

Surneyng.

and pastures be nowe in the holdyng and occupyng of **T. S.** and payeth by the yere, at foure termes or two tymes there vled. s. x. by euē poꝝepons. vi. li. xiii. s. iiii. d.

The sytie of the personage standeth and lyeth bytwene the sayde hygge way on the south part and the sayde churche on the west parte, and the sayde noꝝthe felde on the noꝝthe parte, and the tenementes of **J. C.** on the east part. And the sayd person hath a crofte lyinge bytwene the sayde noꝝthe felde and the sayde churche yerde on the southe parte. And the sayde sytie and crofte containeth. x. perches on the south side, and. xiiii. perches on the noꝝth syde, and. xx. perches in length on the East syde, and. xvi. perches and a halfe on the weste syde. And the mancyon place and the houses ther vnto belongyng, be now ruynouse, and one sy **S. B.** is nowe person there, and had it of the gyfte of the loꝝde, to whome the gyfte belongeth euery thyrde tyme and to **J. F.** the nexte tyme, and **C. D.** the thyrde turne, and so as ofte as it falleth. And the sayd **S. B.** occuppeth the sayd personage hym selfe, with all the glebe lādes, meadowes, tythes, & al other frutes, and is worth by the yere. xx. li. And in lyke maner of a bycarage, and than must yeshewe who is person, the which moſte comunly is a spiretuall man.

T. S. holdeth a mese place frely of the Loꝝd by charter, with dyners landes, medowes, and pastures belongyng to the same. The whiche mese place lyeth bytwene the sayde hygge waye, and the sayde noꝝthe felde, as is before sayde, and the sayde personage on the weste syde, and the tenement or mese place of **J. C.** on the east part, and
conteyneth

conteyneth .xii. perches on the south ende in bryde
and .xii. perches and foure fote in length, & .xvi.
perches in bryde on þe north ende, and he holdeth
the sayd mese, with all that longeth therto, of the
sayd lord by homage, fealte, and ii. s. by þe pere
and halfe a pounce of pepper, and lites of court
from thre wekes to thre wekes, & to the ii. grete
letes. And this he maye expresse the seruyce of the
rente, yf he maye haue parfyte knowledge by the
lordes pcesydence oꝝ by oꝝygnall dedes.

C. F. G. holdeth a mese place with the appurtes
naunce of the sayd lord at his wyl oꝝ by inden
ture oꝝ coppe, and it lyeth bytwene the sayd hye
waye, and the north felde, and the fozsayd mese
place of **J. L.** on the west syde, and the felde called
east felde on the east syde contayneth, xi. per
ches and syxe fote in bryde, and .xviii. perches &
ten fote in length. And payeth vnto the lord at
the termes there vsuelles, .xvi. s. lute of courte, ii.
hennes, and an herryotte at his decelle. &c.

C. G. H. holdeth a cottage of the lord by coppe,
and standeth bytwene the sayd hye waye on the
north syde, and the towne felde called the south
felde on the south parte, and the sayd east felde
on the east syde. And a mese place of the pꝛyore
of **B.** on the west syde, and it conteyneth by the
hye waye syxe perches, and at the south ende. vii.
perches and eight fote, and on either syde. xii. per
ches, and payeth by the pere at the sayd termes
twentie pence, lute of courte and on henne.

C. The pꝛyore and the couente of B. holdeth a
mese place and a crofte with the appurtenaunce
of the lord freely in pure almes, and it lyeth by
twene the sayd cotage in the holdyng of **G. H.**

J. v.

on the

Sutuyng.

on the eastre syde, and a mese place of the lordes, in the holdyng of **C. S.** on the westre, and butteth vpon the sayd hye way on the sayde southe felde, and conteyneth in bredth by the sayde hyghe waye syxtene perches, and in length twenty perches, and at þe southe ende twelue perches i bredth and payeth to the lord halfe a pound of pepper for al maner of seruyce. &c.

C. S. holdeth a mese place of the lord by indenture, and it lyeth betwene the sayde tenement of the priours on the eastre syde, and an other his waye that leadeth oʒ goth fro the forsayd church oʒ parsonage, to the towne of **S.** on þe west side & bytwene the forsayde hye way on the north syde and the tenement of the lordes in the holding of **H. A.** on the southe syde, and it conteyneth .x. perches, euery waye, and payeth by the yere, &c. suite of courte and herpote. Also the sayd **R. C.** holdeth of the lord an horse mylne, nexte adioyning to his sayde mese and the tenement of **H. A.** & is conteyned bothe in lengthe and bredth within the sayde .x. perches, wherof the lord shal fynde at the great tymber, and byyng it to the mylne, and the mylner shal make all the coste, bothe of the house, and the going geyre. And also he shal both thacke and daube at his owne coste and charge and payeth for the same at the sayde termes syre shyllinges, two hennes at Chyrtmas, and two capons at Pasche.

H. A. holdeth a tenement of the lord, and it lieth bytwene the sayd horse mylnes on the north syde, and the sayde southe felde on the south syde and butteth vpon the sayd hyeway that leadeth to **S.** on the west, and the crofte of the sayde priours

ours on the east, and conteynethe. xii. perches
and ten fote in bzebe by the hye waye, and. ix. per
ches in lengthe to the sayd crofte, and payeth at
the termes aforesayde. r. s. two hennas at Chyist
mas, and suppe. 1c.

C **P** **R.** holdeth a cotage of the lord at his wyl
and it lyeth bytwene the sayde hye way that lea
deth to **S.** on the east syde, and a crofte of **R.** **E.**
on the west syde, and a felde called southfelde on
the southe syde, and the tenement of **R.** **E.** of the
northe, and it conteyneth in bzebe by the hye way
foure perches, and in lengthe syxe perches, and a
halfe, and payeth. 1c.

C **R.** **E.** holdeth a tenement and a crofte called **S**
Swan frely by charter and they lye vpon the cor
ner bytwene the sayde two hyghe wayes, on the
northe and east, and a tenement of the lordes,
in the holdynge of **M** **E.**, and a medowe called
weste medowe on the weste syde, & a cotage in **S**
holdynge of **P** **R.** and southe felde on the south
syde. And it contayneth in it selfe. viii. perches
square, and the crofte conteyneth. xii. perches in
lengthe, and syxe in bzebe, wherein be syue buttes
of the whiche one butte is the sayde pyour of **B**
that is to saye nexte vnto the hedge on the weste
syde except one, and he holdeth the said tenement
of the lord by homage, feaultie, and a sperhauke
for al maner of seruyce.

C **M** **E.** holdeth a tenement of the lord, lyenge
bytwene the sayde tenement of **R.** **E.** on the east
syde, & the medowe called the west medowe on the
west and south, & the sayd way that leadeth from
A. to **B.** on the north syde, & conteyneth, xiiii. per
ches in bzebe, and, xvii. in length, and payeth. 1c.

Surveyinge.

A holdeth a tenement of the lord and it lyeth
bytwene the sayde maner place on the East syde
and the west medowe on the west syde, and the
noythe felde on the noythe syde, and the said way
that ledeth from A. to B. on the southe syde, and
conteyneth by the waye seven perches, & in lēgth
ten perches, & payeth at the termes, accustomed
xii. s. vi. d. ii. hennes at Chyrtmas, suite of court
and herrpote at his deceasse: &c.

He that shal view, butte, and bounde landes or
tenementes, by East, West, Noythe, and South
it is necessary that he haue a Diall with hym for
els and the sonne shyne not, he shal not haue per
fyte knowlege whiche is east, west, Noyth, and
South. For many tymes the landes or medowes
do not lye alway even east or west noyth or south
but sometyme moze of one parte thā of an other.
As Southe East, or South West, noyth east
or Noythe West and some two partes of þ one
and but the thyrde parte of the other, as Noythe
noyth East, Noyth noyth west, east noyth east,
and east, southe east, Southe southe east, and
Southe southe west, and West southe west, and
West noythe west. But it nederh not to a survey
our to take so narrowe a dyuerfyte, but to butte
it vpon the most parte as it lyeth, and thā must
the dyall gyue hym parfyte knowlege how it ly-
eth, and so muste he tptell it in his booke, as shall
appere hereafter, and he muste stande in the myd
des of the flatte, whan he shal butte truely.

Howe a man shulde bat and bounde
the fylde. Capit-
tulo, xxi.

He

The north felde vpon Dale furlonge,

The North felde lyeth on the north syde of the towne and begynneth at the crosse at a furlonge called Dale furlonge, the whyche furlonge contayneth xxx. landes and two heed landes, and they butte on north and south, where of the south endes butte vpon the hall or cheynde. and vpon the croft of J. L. and the north endes but vpon R. hyl, Then to beginne on the east syde nexte to the hyl wape that leadeth to A the persone hath two landes the lord thre landes, J. B, one lande J. C two landes. the lord foure landes, the ppyour two landes, the persone one land, K. G. two landes, M. L. one lande. H. A, one land. C. D. ii. landes, the ppyour thre landes, the lord two landes. G. F. one lande, the persone one lande, H. I. two landes next to the Weste syde, and the heed lande nexte to the halle or cheynde, and the other heed lande is the personnes next the hyl, and yf the husbandes have persite knowlage which is a rod, and which is an halfe acre, than it were better to say the lord hath an acre, contayning thre landes are made in foure or fiue landes, and. J. L. halfe an acre, made in two and C. G. a rodde in one lande and if it be lesse than a rodde, than call it a but, howbeit a man may perceyue and know yf anye man make two landes of one lande, or of one lande make two landes, bycause of the certayne number of enery flatte,

¶ An furlonge lyeth next the same, and contayneth, xiii. landes, and one heed lande at the ouer endes, and they lye east and weste, and butte vpon Dale furlonge, at the nether endes, and on the southe syde next the parsonnes crosse. The person

Surueying

person hath thye landes, the pyour .i. land **J. C.**
two landes the lord foure landes. **J. B. ii. landes**
E. S. ii. landes **H. A. one lande** **G. G. one land** **F**
G. one land, **R. S. iii. landes**, the pyour two lan-
des **P. Q. i. lande**, the lord hath the hedlandes

Whethyl furlonge lyeth next to the same hed-
landes, and it contayneth. **xxxvi. landes**, and **iii.**
gozes, fother oz pyke and they be all one thyng.
and be called so, because they be brode, in the one
ende and a sharpe pike in the other end, and they
be alway shorter then the other landes, and they
but vpon the sayde hedlande of the lande at the
west ende, and vpon depe sphe at the East ende
and to begin at the northweste syde of the sayde
flat. **H. A. ii. landes**. **E. S. ii. landes**, **G. H. i. lād** **P**
lord. **vi. lādes**, **J. C. two landes**, the person. **iii. lā**
des, **w. C. ii. landes** & one pyke, the pyour **ii. lādes**
& **i. pike**, **f. G. ii. landes** & one pike, the lord **iii. lā**
des, **R. S. iii. landes**, **E. S. ii. lādes** **G. H. ii. lādes**
and the lord **iii. landes** next to the southeeste syde,

Chan tourne agayne to Wye hyl, that contey-
neth. **xxxvi. landes**, and two pikes, and but vpon
Dale furlonge, on the south endes, & vpon longe
medowe vpon the northweste endes. Then on the
southeast syde nexte to the waye, that leadeth to
J. the pyour hath **ii. landes** **G. H. i. land**, the per-
son two landes, **J. B. ii. landes** **f. G. ii. landes**, **P**
lord. **iii. landes** & **ii. pikes**. **w. C. ii. landes**, **R. F. ii**
landes, **E. S. ii. landes**, **P. Q. two landes** **H. A. ii**
landes, the lord three landes nexte to the balke,
that the windmyl standeth vpon,

P. Q. the whych holdeth a cotage of the lord
holdeth also the sayd wyndmylne, whereunto at
the lordes tenauntes are bounde to grynde al
their

corne and malte, that they occupy of theyr owne,
at the sayd mylne as wel fre tenauntes as other,
and the lord shall fynde al maner of tymber and
pyon worke, boorde and nayles, and byng them to
the mylne, and the mylner shall naye vpp the boz-
des, make hys waste and the sayle yerde, vphold
and repare the spindel and the rynde, the mylnez
pykes and the sayle clothes, cogge and ronge, at
his owne proper cost and charge, and shall pay by
the yere. xx. s., at the termes there vsuell, and to
grynde the lordes corne and mault tolle free, and
to grynde it fyrst, next to the corne that is in the
hopper, yf any be, &c,

On the other syde of the wyndemylne balle
lyeth a flatte called Deyse hyl, and it contene th
iiii. landes and four pykes, and one hedde lande,
of the whiche landes there be syre of theym, that
bryake oz cut in the middes of the landes / as that
appeare by the boundyng. And the sayde flate ly-
eth betwene the common paskure called the balke
on the south East, and the forsayde medowe cal-
led the longe medowe vppon the northweste and
next vnto the forsayd balke J, L, hath thre lan-
des, the lord syre landes, and a pyke, the persone,
foure landes and a pyke, J, B, four landes F, G,
two landes and a pyke. W, L thre landes B, C,
two landes at the vpper ende next to the hedland
P, D. the nether endes of the landes netre to the
longe medowe, C, M four landes B, I, thre lan-
des at the hedde, and J, L the nether endes of the
same, the pyour syre landes the lord eght lan-
des, J, B, thre landes, F, G, two landes and a
pyke, F, G one land at the hed, J, A two landes,
buttyng vpon the same, i land vpon the medow
the

Surneylinge

the personne thre landes next to the north east
syde, and the Pryoure hath the hedlande at the
hedde, And thys me semeth shulde be sufficiente
instruction for buttynge and boundynge of al the
feldes one after an other. &c.

**How a man shuld butte and bound
the medowes. Capitulo,**

xxii.

**The longe medowe belonging to
the Towneshyppe of
Dale**

**The long medow lyeth vpon the north syde
of the north felde bytwene the sayde felde and the
broke, that departeth the towneshyppes of Dale
and the towneshyppe of Dale, and the west endes
burteth vpon the way that leadeth to A. and the
East ende of the same medowe vpon a close of
the sayde Lordes, called the parke close and con-
taineth. L. xlii. acres, thys medowe lyeth in dy-
uers Motes of lengthe, sometime in two Motes of
length, sometime in one, and sometime in thre
Than to begyn at the west syde nexte to the way
that goeth to A. on the oter Mote, the lord hath
foure acres, J. L. two acres and a halfe, the per-
son thre acres, J. B. two acres and a halfe J. C.
thre acres, the pryour foure acres, the lord eight
acres. And on the nether Mote nexte vnto the
broke nexte vnto the sayde hyghe waye, E. G. ii.
acres, the pryour foure acres. G. H. halfe an acre
M. L. two acres and an halfe. W. A. fyve acres,
the lord. vii. acres. Than to the longe doles
that butte fro the sayd North felde to the sayde
broke, E. D. foure acres, the personne thre acres
J. L.**

J. E. an acre and a halfe, **J. B.** an acre and a halfe
the lordes fyre acres, **P. D.** thye acres. **M. F.** thye ac-
res, And at the nether ende of the sayde thye ac-
res **J. B.** lord of Dale, hath attached his wiere
of the milne of Dale, for the whiche attachement
the sayd **J. B.** payeth to the lord of Dale and to
his heppes every yere two myllinges at the feast
of saynt Myghell the archaungell for All maner
of seruise. &c. Than to the ouer Mote nexte the
sayd felde. **G. H.** an acre and a rodde. **M. C.** thye
rodde, **R. E.** an halfe acre, the lord two acres the
person halfe an acre. **P. D.** halfe an acre, the p^ro-
p^rour two acres and a halfe. **J. E.** ii. acres the lord
foure acres **E. H.** two acres nexte to the Parke
close. Than to the middle Mote next to the longe
doles. **F. G.** an acre. the person thye acres. **J. B.** ii.
acres, the lord foure acres. **M. F.** two acres, the
p^rour foure acres next to the sayd parke close,
Than to the nethermost Mote nexte the broke on
the side next to the longe doles, the personne two
acres, **R. E.** thye acres, the lord foure acres and a
halfe, **G. H.** halfe an acre the p^rour two acres
M. C. ii. acres and a halfe. **J. E.** halfe an acre,
E. H. two acres, **J. B.** ii. acres in the corner nexte
to the sayd parke close, and butteth vppon the
sayd broke. And if there be any mo medowes
then buite and bounde the in lyke maner, for the
mo medowes there be, and the fewer Mottes, the
better maye they be bounded, for medowes goo
mooste comunly by acres, halfe acres and rodde
and they ought to bee wel staked betwene euery
mannes bole, and specialli wel stoned with great
stones betwene, and sette on a great heygth that
they synkenot farre into the earthe, for the p^ro-
p^rerty

Surveyinge

pectye of a stone is to discende downward, and
the property of earth to ascende upwarde. Ther
fore they would be taken hede to betime, & amends
ded whā neede is. And this me semeth is sufficient

How a man should butte and bound his pastures .Cap. 23.

The pastures belodging to the same towne.

The lord hath a close called parke close and
it conteineth, 30. acres and it lieth betwene
the sayd medowe called longe medowe on þ west
part, & a close of the persons called Orhey on the
East parte & the sayd broke on þ North part, & a
felde called East felde on the southe parte, and it
is worth by the yere, 20. shillinge. &c.

The person hath a close next to the same called
Orhey, & it conteineth, 1. acres, & lieth betwene the
parke close on the West part, & a close of J. B. on
the east syde, & the sayd broke on the Northeaste
parte, and a felde called east felde on the Weste
part, I do not value it, because it is not þ lordes
the quātitie of the acres therein is sufficient. &c.

The sayde J. B. holdeth a lytell crofte selpe be-
longynge to the tenement called Wye crofte, and
conteyneth two acres and lyeth betwene þ sayd
persons close on the west syde, and the same that
goth towarde W. on the Southeast syde, and bat-
teth vpon the hye waye that cometh frome S. to
the sayd towne of Dale on the Northeast syde, &
the sayd east felde on the Weste parte. I set it at
no value, because he is a freholder, and tenneth
in the chiefe rentes of his house, but and if it be gi-
uen to the freholder by another dede, the most the
surveyour expelle the chiefe rent therof by it self.

and

and it is the moste special poynt of a surueyours, first to a vien but & bound, both the towne and the hole lordship, or euer he desyre to se or loke vpon any euidence of any freholders. For this first done the surueyours may then patissely know whether the freholder shewe his euidence for al his land or not, & let the surueyours haue good remembraunce, what parcels lādes be conteyned in the sayd euidence. And the may he wel perceiue whether he shew for al or not. And if the dedes be shewed by the tenant may say there is for al his lāde, & the surueyours can not controlle hym nor say nay. &c.

C F. G. holdeth a croft of the lord, lying nere on the other side of the said lane called gorse croft & conteyneth two acres & a halfe. & butteth vpon the sayd hye way on the Northest side, & the sayd east felde on the west parte, &c. And thus yemay peruse, butte, and bound al the croftes, closes & pastures about the towne & win the lordship, whose soeuer they be. And to expresse euery hye way or croft, comen balke, or marle pyt, where they lye the whych shal be a great redynesse manye years hereafter. And yf there be any comen pastures, where herdmen kepe theyr cattel, or any comen woodes, mores, herthes, or such other, they maye not be forgotten to be butted, & bounded as they lye. &c.

Howe a man should amende careable lande. Capitulo. 23.

It is conuenient, that an husbande kepe his careable lād lying round. & it be not to hygh in the rygge nor to lowe in the middes of the rydes, nor to hygh a littel fro the rayne, for the wil the water stande in the sides of the landes, and drowne the corne. And though there be no corne

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yet it wereth the grounde and maketh it leane, for standynge water dystroyeth grasse, and therfore it must nedes dystroye corne, the whiche is muche more tenderer than the grasse. And if it so be, than take thy ploughe, and begyn to plowe a fowre in the myddes of the syde of the lande, and cast it downe, as and thou shouldest salowe it, and so per use both sydes tyll the rygge be caste downe, and than take thy plough agayne and begyn to plowe where thou dydest plowe fyrst, and rygge all the remaynant vppwarde, & so shalt thou both cast thy landes and rygge thim, and all at one plowynge and this wyll make the lande to lye rounde, the whiche is good both for corne and grasse. &c.

¶ Another maner of mendynge of earable lande is to mucke it, marle it, lyme it, or dunge it, with the cart or wayne, and as I sayde in the boke of Husbandry, to set the dunge vpon the fyrste sturynge whan it is rygged, for that is best for many causes, and yf thou laye it vpon the salowynge, than set the mucke hepte in the rayne of the lande and than sprede it, & al that falleth i the ryg cast it out agayne for els it doth but lytel good, for it wil be couered with earth, and seldome scnc agayne. &c.

¶ Another maner of mendynge of earable lande, is to sette thy shepe folde vpon it, and to flytte it euerye daye, and it is better vpon the sturynge, than vpon the salow, & the shepe folde is better vpon the lie ground, than vpon the wheat ground.

¶ Another maner, whan a husbände hath muche earable land, and hath no dunge nor shepe to compost nor dunge his lande with all. Than lette the husbände take his ploughe, and cast all suche landes thre or foure tymes together, and make the
ryg

eggge there as the raine was befoze. And yf the landes be so bryde whan it is so cast downe, than eggge yther syde by it selfe, and so make two landes of one lande, oꝛ thye landes of ii. landes. And so shall he fynde newe molde that was not sene in an hundred yerres befoze, the whiche muste netes gyue moze coꝛne than the other dyd befoze. 36.

¶ Howe a man shuld amend his medowes. *Lapi. xlv*

SE that there be no **M**oldye warpes castyng in the medowes, and yf there be in Apryll let them be spzed & beaten smal, and this is best waye to spzede them and make them smalle. To take a great bough of a tter, and to plaue the bowes abyde and laye the ymlowe, and yf they lye not bryde ynoughe, than take other small bowes and bynde them faste to the same, and to lay a tree oꝛ two ouerthwart the bowes, to hold them downe flatte to the earthe, and to bynde the trees to the bowes that it falle not of. And than to booze an hole with an auger in the great boughes ende, oꝛ els to tye a rope faste to all the boughes endes to gyther, and to cast the teme of the same, and with oxen oꝛ hoꝛses to drawe the sayd boughes, bothe vp and downe ouerthwart the sayd moldwarpe hylls, the which shall spzede them better then any mans handes can doe, and that shall refreshe the grasse and make the medowes muche better. 37.

¶ Another maner of mendyng of medowes is, yf there be any rotynge water oꝛ lande floodde, that may be let oꝛ brought to ronne ouer the medowes, from the tyme that they be mowen vnto the begynnyng of May, and they wyll be muche

Duruepinge.

the better, and it shall kill, drowne & dyue awaye the oldyewarpes, and fyll vp the lowe places with sandes and make the ground euen and good to mowe. All maner of waters be good, so that they stande not styll vpon the ground. But specially that water that cometh out of a towne from enerye mannes myddynge & donghyll is best, and wyl make the medowes most rankest. And fro the begynnyng of Maye tyll the medowes be mowd and þ hay gotten in þ waters wold be set by and conne another way for dyuers considerations. &c.

Co amende and make better, diuers maners of pastures.

It is vndoubted that there be diuers maners of pastures, as lowe grounde lyke medowe groude, ley groude, þ which hath be earable groude of late, hussey groude, the which somtyme hath ben earable groude, hussey groude the which was neuer earable groude, goztye groude, the whiche hath ben earable groude, goztye groude the whiche was neuer earable. Some grounde he the groude, marish groude, chalke groude, flinty groude, chiltene groude, & lymstone groude. &c.

Co amende lowe grounde lyke medowe groude.

Ye shall do by it, as I haue shewed you in the nexte chapitre befoze of poure medowes, and if a ny water stande styll and wyl not voyde, make a dyche oꝛ two, oꝛ .iii. as nede shall require, and vnder the sydes of the dyche that the water maye come in to it, Conuey the water awaye, and wyth a ploughe make dyuers fozowes frome the sayde dyche vnder in to the pasture, where the water standeth, and wyth a Carte, a waye, oꝛ a slepde, carie away

Waype the earth that the ploughe tourneth byp, or els it wil stop the water on the one side, and yf the ploughe forowe be to litell, than make diuers small diches, and open the on both sydes, so that thou leaue no water standynge in the pasture no tyme of the yere. And milche kye, draught oren, labouring hoxles and mares be most conuenient to go together in suche pastures.

How to amende ley grounde, the which hath ben carable lande of late: cap. xv.

The must take hede howe the leise lye, and speeie allye that they lye not to hyghe, for and they doe, it is moze profite to the husbände to cast it downe agayne, and sowe it wpyth otes one yere, two or iii, and to ley it lower and roude in good temper, & se that no water stand at the landes endes but tyng on the headlandes, & if it so do, than wpyth a ploughe cast a forowe toward the headlandes & tha the water wyll folowe that forowe and make the landes drye. But that forowe wyl not serue past one or two yeres, but it must be renewed. And yf it waxe mosse in winter, tha would it be plowed agayne, and sowed wpyth dyuers coines, as the grounde requyeth. And at the fyrste plowynge it woulde be plowed a square forowe, as depe as it is brode, and layde flatte and sowed with otes that the mosse maye rotte, and then to lye fallowe one yere, and than to be sowed wpyth wheat, rye, or Barley as the husbände thinketh mooste conuenient. And yf it shoulde lye folowe the firste yere, the mosse well not rotte, and at wynter it wyll be wette and drowne all the wheate and rye

G. liii:

that

Durwepinge.

that it toucheth. And if a man haue plenty of such pasture that wold be mossy, every .iii. yere let him bryke vp a pce of ground, and plowe it and sow it (as I haue sayde befoze) and he shall haue plenty of cozne with lytell dongunge, and sowe it no longer than it wyl beare plenty of cozne without donge. and it wyl beare muche better grasse ten or twelue yere after. And yf the leys be to bryde, they make two landes of one lade (as I haue sayd befoze) and these are the most convenient cattel that may go on such pasture, and best they wyl amend the grasse, and to take good hede that ye suffer nei ther byeres noz blacke thornes, noz none other manner of busshes to growe in your pastures and specially by the hedges. &c.

Howe to amend busshy ground & mossy, that hath ben rareable lande of olde tyme. ca. xlviii.

There is none other remedy, but to stocke and get by the busshes by the rotes, and the lande plowed and sown (as I haue sayde befoze) the best ground yf it be drye wyl byng much cozne for the mosse wyl rot, and the mole hylokes wyl amende the ground well. And yf there be any marle pyttes, that haue byn made of olde tyme within the same close, than whan the landes begyn to weare, yf he haue not suffycient of such busshy and mossy ground, to bryke vp and sowe than there wold be newe marle pyttes made & the landes newe marled, the whiche is muche getter than eyther dunge, mucke, or lyme, for it wyl last twentie yeres togyther, yf it be well doone, and shall be the better whyle it is lande. And I maye greatly that in the comen fyeldes, wherof olde tyme hath byn made many greete marle pyttes

ees, the which hath done much good to the laites, that now a dayes no man doth occupy the lande make none other, and they neede not to doubt. But there is marle now as wel as was than, but as me semeth there bee two causes whye, one is the tenants be so doubtfull of their landelordes that if they should marle and make theyr holdinges much better, they feare leaste they should be put out, or make a great fyne, or els to paye moze rent. And if a lord so do, me semeth it is unreasonable, seinge that it was done all at the costes of his tenants and not at his. The seconde cause is that menne be disposed to ydlenes, and wil not labour, as they haue done in tymes past but passe forth his time as his father dyd before him, but yet me semeth a freholder should not be of that condicion, for he is in a suertye his chiefe lord can not put hym out doing his duetye, And he knoweth well he shall take the profyte whyle he liueth/and his heires after him a cozage to improue his owne the whiche is as good as and he had purchased as muche as the improuement cometh to. And one man this doyng would gyue other men cozage and a good example to folowe the same. And all other countreys maye take example at Chester shire, and Lancaster shire, for many of theym that haue so done, haue made the improuement as good as the land was before.

¶ Howe a man should amend bushye groundes that was neuer earable ground, Ca.: 9,

¶ Ye must consider what the ground is disposed vnto, and whether it be drie or wete, or be disposed

Durneynge

posed to beare wode, grasse oꝝ coꝝne. If it be dyꝑe and full of grauell, it is better to beare wode, thaꝝ other coꝝne oꝝ grasse. If it be weate grounde, it is not good foꝝ coꝝne, but it wyl beare both wode and grasse. But and it be a blacke earth and dyꝑe it is good foꝝ coꝝne, and it wyl quite the coste to stocke it by by the roottes, and to sowe it wyl the coꝝne. And if it be white cley, it is most commonly a weat ground, and than it is not good foꝝ coꝝne but it wyl beare bothe wode and grasse, and an acre of wode, is as good as an acre of coꝝn ground oꝝ of grasse, and in some places much better. And if ye wil encrease the said bushy grounde, and to make moze wode, than betwene Michelmas and Martynmas, ye must gather manye akehoꝝnes, & put them in earthen pottes, foꝝ those wyl kepe the moyst, and in February and Marche set the sayd akehoꝝnes in the sayd bushes, as thicke as ye wil and vndoubted they will growe. And also ye may get the keys of ashes, nuttes, and suche other and set them in lyke maner, and to kepe all manner of cattell that wyl eate anye wode oute of the same grounde tyll it be past daunger of cattell. &c.

How to amende wode ground that lyeth in severall pasture. cap. xxx.

If they be great olde trees, yf ye fel them by the earth, there wyl neuer come any spring of them by agayne, except they they many smale pum-
ples and spynges about the rotes. And there-
foze suche olde trees would be but lopped & crops-
ped to beare moze wode styll, and yf it be a good
grounde

grounde to beare corne, and be but a fewe trees, than it were beste to Roche them by by the rotes, and to plow it and sowe it. And if it be but ponge wode, ye may chose whether ye wyl shred it, loppe it, or crosse it, or sell it by the earth. And yf ye sell it by the earth, & kepe the spring well ye shal haue for every tre. ii. or. iii. trees, so that it be felde at a dew season of the yere, & that is betwene Candelmas and Maye, whereof I haue spoken sufficiently ynough in the booke of Husbandrye.

How to amende gozly grounde that hath bene earable lande. cap. xxxi.

Ye shall vnderstande that there be. ii. maner of gozle, and some men call theym fyse. One maner wyl growe on the drye grounde, and that maner wyl growe as highe as a man, and haue a great stalke, as much as a walkynge staffe, and yf ye wyl suffer theym to growe and sell theym not, by pprocess of tyme whan beastes go amonge them, and specially in winter tyme for colde, and in sommer for shade, that wil cause them to dye. And many tymes and longe contynuall froste in wynter wyl kylle all these maner of gozle, and whan they be deade, yf ye plowe the lande agayne and sowe it wyth corne, whan it lieth let agayne, the gozle wyl growe agayne. And the best remedye for growynge agayne, is to put on such maner of pasture maner shepe to eat it bare, but in manye places they sette greute store by those maner of gozle, & specially for theyr fewell, & woulde not geue an acre of gozly lande for two acres of earable lande. And on the maner of gozly lande wold

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would growe good cozne with litle dongue, and it is moze profyte to plowe it and sowe it, than to lye ley, excepte he kepe it for hys fewel, and they growe mooste commonly vpon drye grounde somewhat sandy and grauelly, & shepe is the most conuenient cattel that may go vpon such pasture.

¶ How to amende gozly land that was neuer earable lād. Ca. xxxii.

If the grounde be dry, and growe ful of suche manec of gozle with the gret stalkes, ye be at your libertye, to do as I haue sayde, & if it be of the other maner of gozle or firsle, the which grow lowe by the earth, & haue but litle small stalkes, & maner of gozle groweth alway on welspyg grounde, somewhat moist & weate, & it will neuer beare good cozne, but hewe it vp to bake & brywe wall, for it wil not lightly be destroyed, for if it be bryt it wil growe agayne. But and there be marle vnderneath the grounde within the same close, yf ye make coste, then bryen the gozle at Warche, and with a bigge and manye oren, plowe it and make smalle landes, and then marle theym and sowe theym with Otes, for that cozne will grow best on such grounde. And if this wil not serue it is past remedye, for marle mendeth all maner of grounde but it is costly. &c.

¶ Howe to amende Wrome grounde. Cap. 33:

Wrome groweth alwaye vpon dry and sandy grounde, and it will beare good Rye & Otes, but it wil not endure to beare cozne longe wythout it be donged with the carre or with the shepe folde or both. And yf ye let it lye and plowe it
not

not, the brome wil come agayne, and Mepe is the beste cattel to holde it vnder, but neuerthelesse it wil growe, and when it is growen of a pearde of heyth oꝝ moze, then it is good to bake and bꝛewe, with and speciallꝝ when a house is thacked to take the brome and make it in quarters of a yerd longe oꝝ there aboute, and picke them into the thacke by and by, and cover the thacke cleane oꝝ uer, and it shall bothe kepe out weate and also saue it from pullynge downe wꝝth crows, pyes, dawes oꝝ choughes. And if ye woulde distrope it whan it is growen thꝛe oꝝ four fote of hꝝght thā about saint James dape, fell it a fote aboue the earth oꝝ moze, & thā the stalke will dꝛe foz a good season, but if it be plowed agayne, it wꝝll growe as fast as euer it did, when ye leaue plowing.

How to amend hethꝝ grouꝝd. Ca, 34.

TYe shall vnderstande that there be foure maners of hethꝝ groundes, hethꝝ growynge vꝝpon grauel, and hethꝝ growing vꝝpon sand, these two maner of hethꝝ groundes will beare no coꝝne, withoute muche donge oꝝ mucke, foz sel dome is there any marle vnder that maner of hethꝝ, And in many countreys where plenty of lꝝme stone is the husblandes do bꝛen the lime stone with wood and secole, and make lime therof, and do set it vꝝpon theyꝝ landes as they do their donge, and do spꝛede it in like maner, the which they call muche better than donge foz lime is hote of hym selfe,

The other two maners of hethꝝ is heithe growynge vꝝpon white cley grounde, and hethꝝ growynge vꝝpon blacke earthe, that lyeth lowe lꝝke marres grounde, and vnderneath these two ma-

Surueying

of hepth groundes, there lyeth most comment
ly marle. Then brenne the hethe and serche for
the marle, and digge it vp and lay it thicke vpon
the grounde and spede it, and then plowe it and
sowe it, and it is muche better then outhel lyme,
mucke, or any maner of dunge, and lenger it wyl
laste, and so that there be no water standinge vpon
the sayd ground. &c.

How to amend marres grounde. La. 35.
There is none other remedie, but fyrste to drye
the water clene away. And this is a good
meane to drye the water clene away. Firste in
the lowest close wher the water may be best auoided
make a greate dytche and a depe that the water
may auoide. And if al the water will not come
to that greate dytche, but to stande syl in diuers
places, then make many smal dytches one into an
other, from the standing waters, so that al these
standing waters may come into the great dytche
and that by reason should drye the water clene
And in a drye somer ye may make many brode and
depe dytches, and serue the marres in diuers pas
tures, and make bridges ouer the dytches into e
very close, and direct lanes made lyke a causeye,
to conuey the cattel into the pastures, so that one
causeye or lane, maye serue the closes or pastures
on bothe sydes. And in the lowest place of euery
close or pasture, make a trenche or a lytel dytche
into the great dytche that goth aboute. And thus
shal ye make by processe good pastures of marres
grounde, and euer the lenger the better pastures
and specially if ye put in so muche cattel, it shal
make the better grasse and the lyuer. And milche
kpe

hys draught Oxen, and labouring hoxses is the best cattel to make good pasture on mares ground and wepe on dye ground, for they will cate the ground most barest, and that causeth the grasse to be good & fine. And if thys maner of dyttinge wil not make the mares grounde dry then muste you make a sough vnderneath the earthe, as men do to get cole, yron, stone, leede, or ynnne, And if that wil not serue, then kepe out youre cattell for feare of drowninge, &c.

How to amende brome ground, and fearny ground. Capit. 36.

Brome ground, & fearny ground, be muche of one nature, for they growe on sandye and dye ground. And they wil beare good rye, barley bygge, or heyre, and otes if they be donged with shepe, cattle, or wayne.

For suche lyght grounde wyl soone weare and washe with water, if it be not donged. And if they lye unplowed, they wyl growe full of brome and fearne, & if ye wyl destroye the brome whan it is growen thre or foure fote hie. In midsummer moone or lene after when it is full blomed, with a hedginge byl cut the stalkes halfe a yerd aboue the earthe, so that ye leue no grene stalke growinge vpon the rote, and that will cause it to dye. But and ye plowe it agayne and after let it lye it wil growe agayne, and if ye mowe fearne whan it is ponge, so p it be mowen befoze Midsummer by vse of suche mowinge, it wil weare awaye.

Of chylturne ground flynty ground and chalke ground. Capit. 37.

Chylturne

Burdeyng

Ostearne grounde and flinty ground belight
groundes and dype, and full of small stones,
and chalke grounde is muche of the same nature
and they wyll weare and waste awaye with wa-
ter, and therfore they wolde be donged as the by-
rpe and fearnye groundes be, for marle is seldom
founde in these maner of groundes. And therfore
yf ye want shepe and dunge, they wold lye ley and
rest them that they may mende with lyenge.

Of lyme stone grounde.

Capit. xxxviii.


Limestone grounde is very good, both for co-
rne and grasse, and yette in some places there
will muche hey grow vpon limestone ground and
that is longe of euyl husbandrye. For and that
heyth were byenned, plowed, and sowed, the fyrste
yeare with Otes, and than fallowed and sowed,
with wheat, rye, and Barley, and after with bea-
nes, or peas, it will beare muche corne with lytell
donge, and shal bere alway after the better grasse
and shepe is the best cattell that can go vpon any
of those. vi. maner of groundes, and best they will
amende the grasse, and kepe theym selfe from rots-
tyng. And he that hath limestone may byen it with
cole and wode and make lyme, wherwith he may
lyme his grounde, and that wyll bynge good co-
rne, or he may sell his lyme at his pleasure.

**What profyte may come or growe to the
lord by reason of his water.**

Capit. xxxix.

First ye shal vnderstande, that there be diuers
maner of waters that is to saye, standyng
water

waters, as pooles, meynes, or motes, and strewes,
And also ronnyng waters, as great ryuers smal
ryuers, brokes, laches, wellspynnes, and pyttes,
than what profyte may come to the lord of them.
The lord may set the fyllmynges of all the sayde
waters to his tenants for certene rent, & he may
reserue to hym selfe certaine fyllme, or to fyllme cer
tayne times or at any time at his pleasure.

 The maner to make dyuers maners
of mylnes. Chap. xl.

Also vpon these waters, the lord may set dy
uers maner of mylnes, the whiche may be to
the lordes great ease & profyte, as vpon the great
ryuers, to make mylnes, that be called grounde myl
nes, & they be called grounde mylnes, because the
ouer syde of the heade sylle lyeth enen w the ouer
syde of the grounde in the bottō of the water, and
also fullmyng mylnes, other wyle called walke mil
nes, may be made in lyke maner and stande also v
pon the gret ryuers, and than one whele is able to
drue two stockes þ is to saye, both a poppyere & a
faller the faller bothe to socoure & herclp, & the po
pyere to thyeke þ cloth. And comenly these milnes
be not set vpon the gret streemes of þ great ryuers
but a great part of þ water is conueied out of the
great streame by milne flemme made wth mannes
hande to a certayne place, where wyle men thinke
the mylne most conuenient to be set, and the sayd
water to be holdē vp & brought to the said milne
by reason and settinge of a wyre ouerthwarte
the sayde streame, made of trouse, rymber, or stone
or of worbe. And whan it is past the mylne wth a

¶ i.

sufficis

Wurueyng

sufficient fall of the water, that the mylne stande
nat in a back water, to retourne into the riuer as
gayne. And in many places the sayd mylnes be
set on the one side of the great ryuer, and a weyre
made of þ timber and stone to hold vp the water
to the mylne, the which is a great cost, and many
tymes it will stande in lacke of water that it may
not go well at a great flode, excepte the grounde
wozke be made very hye. But they be profitable
both in grindinge of cozne and fullinge of clothe,
and in takinge of muche fyre. And in lyke ma-
ner these sayd two maner of mylnes maye be set
vpon smalle ryuers, without any flemme castinge
but alonelye his weyre, to holde vpp the water,
and his flodegates to let it go at a flode, whan
neds shal requyre. Also there be two maner of
cozne milnes, that is to saye, a byeste mylne, and
an ouerthote mylne, and those two maner of myl-
nes be set and go moost commenlye vppon smalle
bokes and vpon great pooles and meynes, And
they haue alway a byde bowe a foote byde and
moze, and the ladelles be alway shrowded wth
compasse bozdes on bothe sydes, to holde in the
water and then they be called buckettes. And
they must be sette muche nether togyther than the
ladelles be, and muche moze a slope downwarde
to holde muche water that it fall nat oute for it
dwyeth the whele as wel with the weight of the
water as with the strength. And the mylner must
drawe his water accordinge to his bucket, that
they may be alway ful, and no moze for the longer
that they holde the water the better they be. Also
another maner of fullinge mylnes, may be set and
go vppon the sayde small bokes, pooles, or meyn-
res.

res, and those be called fallers, for a faller by him selfe requyeth not so great strength of water as the potter doth, bycause the water cometh mooste comenly ouer the whele, & the braces do but heue vp the two fete that fall into the stocke vpon the clothe, the whych causeth the clothe to thicke and tourne. Also these mylnes that be set and go on smal waters, may go and conne with a gogin of yron vpon bulder stones, or vpon brasse as a bell doth, for that wyll go moost lyghtest. But these mylnes that go vpon these greater riuers, that be byde, heaue, and weyghte, muste nedes haue two greate thycke hoppes of yron, foure ynches byde, and an ynche thycke, and eyght or nyne ynches betwene the sides, set on bothe endes of the shaft, for the gogin of yron wil not beare them, and specially the fullynge mylne. And that mylne that goeth with a gogin, yet muste it haue on eyther ende of the shafte a hope of yron and bulders vnder, and yf the gogin fayle or were lose, but it shall not touche the ym bothe at ones. And let the mylner take good hede bothe to the gogins, and heopes, that they be not lose, for than wyll the shafte endes byenne of. For than he hurteth his lord, his mayster, or hym selfe, for mylne shaftes be cokely. But in so muche as there is great profite to the lordes in makinge of these mylnes, and the mooste rente is reysed vpon so lytell grounde and ofte times for want of the seede of discrecion and experyence of good makinge, there be many defaultes made in them, and specially in makinge of the mylne trough, where the milne whele gothe, for ofte tymes they make it holowe and depe vnder the whele, that the water standeth therein

Durueyng

therein, whan the mylne goethe not, for the taile
syll would lye bare and dry whan the mylne goth
not. And the tayle would be twentye ynches
or xxiii. vnder the heade sylle, and the troughe
would not passe foure ynches holow at the most,
and as longe as it maye receyue thye ladelles, the
fourth ladel entreyng the water, and the fyfte
ladel leauynge the water. And the strake sylles
bothe aboue and vnder would be of good length
so that the whele come not nyghe to the draughte
gate by two fote or moze, for the further from the
gate, the bygger and the swyfter is the streame.
And the lenger thar the ladel is, the better it is,
so that it haue sufficyente water. And than the
mylner nedeth not to drawe vp hys gate so hygh
as and the ladel be thozte, for the ebber the wa-
ter is, and the swyfter it is. And a double bowed
whele is much better than a single bowed whele
for many causes, yf there be sufficient water, and
better it wyll kepe the ladelles from losynge. The
ladel most commonlye of a double bowed whele
would be thye fote long and a fote bred, and
to drawe vp hys draughte gate nyne or tenne yn-
ches is sufficient. And than shal not the bowe of
the whele be hid nor couered in the water, & than
it goeth swyftlye. And vpon the great ryuers the
ladelles maye be an elne longe, but for the weyght
and drawynge vp of the draughte gate. &c. The
greater compassse the whele is, the lasse water
wyll dryue it, but it wyll not go so ofte about as
a litle whele wyll do. Bat the cogge whele in a
corme mylne is a greate helper, yf it be well pry-
ked, well coggged, and well ronged, syre ronges,
and xlviii. cogges, are beste for a greate river.

For

For than the mylne stone goth eight tymes about
and the water whele but ones, and euerye ronge
kepeth hys owne cogge (et contra) and chaun-
geth not on any syde. And for a meane water sixe
ronges and .xlii. cogges is beste. And for the ouer-
shot mile. vi. rōges & sixe an thirtie cogges is best
For the cogge whele maye not be of so greate a
compasse as the other cogge wheles be. And in
all these pykes, euerye cogge kepeth hys owne
ronge And yf ye put in anye whel a cogge oꝝ two
cogges mo oꝝ lasse, than as I haue sayde, shall
euerye cogge chaunge hys ronge at all tymes, so
that it be not verye truely pyked, it wyl not goe
well, & yf it fortune to bꝛeake a cogge, as it is lyke
to do, it wyl than bꝛeake manye of them, excepte
he shote downe his draught gate shortly and like
wyle a wyndemylne. Howe be it a wyndemylne
hathe neuer vnder .xlviii. cogges oꝝ .liiii. &c. But
they muste be so pyked, that euery cogge kepe his
owne ronge, and seuen ronges are not pꝛofytable
for they goe lathelyc. Of horse mylnes I do not
speake of the makynge, for I haue not experyēce
of them, as I haue of water mylnes.

Also the Lordes and ther tenants haue an
other maner of pꝛofyte by reason of these waters
ouer and belyde thes maner of mylnes oꝝ fishyn-
ges, and that is by reason of waterynge of theyꝝ
castell and beastes both wynter and sōmer, & speci-
ally of ther onnyng waters, as riuers, brokes, suc-
ches, and wellsprynges, for they done seldome freeze
oꝝ neuer, and they will be colde in sōmer & warme
in wynter, and yf a close wante water it hathe a
great meane and is muche the worse.

Forthermore it is conuenient for a Surveyor
that

Surueyinge.

that whan he hath surueyed his Lordes landes,
and seue what profytes an aprouementes maye
ryle and be made within the same, that he shewe
his Lord thereof and aduise hym to do it, and to
make the coste. For it is vndoubted, that a man
can not make to sure purchase of any maner of
lande, better tytell, nor lyghter cost, nor moze ad-
uauntage to hym selfe, than to improue, amende
and make better, his owne olde inheritaunce. I
meane not by the herghtyng, reysyng, or encreas-
syng of the rentes of theyr tenants, but alone-
lye in mendyng and makyng better bys earable
landes, medowes, leyse, and pastures and in mak-
yng of water mylnes, wyndmyles, horse myl-
nes, fullyng mylnes, sythe mylnes, cutler mylnes,
be it by water or draught of horses, smethy myl-
nes, or suche other. And also of gettyng of all ma-
ner of profytes, as wel vnder the earth as aboue
(as befoze is remembred) in the fyrte chapter.

And by the reason of these improuementes me-
semeth a man myght make euery towneshyp that
standeth in the playne champyon countre and oc-
cupied in tyllage halfe as good agayne in all ma-
ner of profytes to the tenants as it was befoze
yf the lordes thereof and theyr tenants shal agree
of the costes that shuld be made thereof. And neuer
a house nor cottage to be decayed nor let downe
and to haue as muche lande in tyllage & plowynge
as there was befoze, & their coyne and grasse shuld
be better saved and kept from destroyng.

Howe to make a towneshyp that is
worth .xx. marke a yere worth .xx. li.

a yere. Capi. li.

It is vndoubted to euery towneſhippe that ſtandeth in tyllage in the playne countrey there be earable landes to ploughe and ſowe, and leiſe to tye or tedder their hoxles and mares vpon, and come pasture to kepe and pasture their cattel, beaſtes, and ſhepe vpon. And alſo they haue medow grounde to get theyr hey vpon. Than to let it be knowne howe many acres of earable land euery man hath in tyllage, and of the ſame acres in euery felde to chaunge with his neyghbours, and to let them to gether and to make hym one ſeuerall cloſe in euery felde for his earable landes and bys leiſe in euery ſeld to let them, together in one ſeld and to make one ſeuerall cloſe of them all. And alſo another ſeuerall cloſe for his poſſion of his medow in a ſeuerall cloſe by it ſelfe, & al kept in ſeuerall both in wynter & ſomer, & euery cottage ſhall haue his poſſion aſſigned hym accordyng to hys rente, and than ſhall not the ryche man ouerpreſſe the poore man with his cattel, and euery man may eatc his owne cloſe at his pleaſure. And vndoubted, that hey and ſtraue that wil fynde one beaſt in the houſe, wyll fynde two beaſtes in the cloſe, and better they ſhall lyke. For thoſe beaſtes in the houſe haue ſhorthe heare and thynne, and towardeſe Marche they will pill and be bare. And therfore they maye not abyde in the fyeelde befoze the herdman in wynter time for colde. And thoſe that lye in a cloſe vnder a hedgc haue longe heare and thicke, and they wyll neuer pille nor be bare, and by this reaſon the huſbande maye kepe twyſe ſo many cattel as he did befoze.

This

Surveyinge.

This is the cause of this approuement. Nowe every husband hath sixe severall closes, whereof thre be for cozne, the fourth for his leyse, the fiste for his comen pastures, and the sytte for his haye, and in winter time there is but one occupied with cozne, and then hath the husbande other fure, to occuppe tyll lente do come, and then he hath his salowe felde, his ley felde, and hys pasture felde all sommer.

And when he hath mowen his medowe, than he hath his medowe grounde, so that and he have any weyke catel, he maye put theym in any close he will the whyche is a greate aduantage, and yf any should ye comen, then would the edythe of the cozne feldes, and the aftermathe of all the medowes be eaten in ten or twelue dayes. And the riche men that hath much cattel would have the aduantage, and the pooze man can have no helpe nor releife in winter, whan he hath mooste nede. And if an acre of lande be worth fyve pence, or it be enclosed, it will be worthe eyght pence, whan it is enclosed, by reason of the compostyng and donginge of the cattel, that shall go and lye vpon it bothe daye and nighte. And if anye of his, 3. closes that he hath for his cozne be worne or were bare, then he maye breake and plowe by his close that he hadde for his leyse, or the close that he had for his comen pasture, or bothe, and sowe theym with cozne, and let the other lye for a tyme and so shall he haue alwaye rest grounde the whiche will beare muche cozne with the lytell dongue, and also he shall haue greate profite of the woode in the hedges whan it is growen, and not all onely these profytes and aduantages he
foze

foze sayde, but he shall saue muche moze than all
these foze by reason of these closes, he shall saue
meate, drinke, and wayges of a shepheard, the
wages of the herdemanne, and the wages of the
swyneherde/ the whiche maye fortune to be as
chargeable as al the holerent, and also hys coine
shal be better saued from eatinge or distroyinge
with cattel. Foze doubt ye not, but herdemenne
with theyr cattel, shepheardes with theyr shepe,
and tyenge of hores and mares, distroyeth much
coine the whiche the hedges woulde saue. Par-
adventure some men woulde saye that this shoulde
be agaynst the common weale, bycause the shep-
herdes herdmen and swine herdes, shoulde than
be put out of wages. To þ it maye be answered
though those occupatiōs be not vsed there be as
many newe occupations that wens not vsed be-
foze. As gettinge of quicke settes, dreyng, hed-
ginge and plashinge the whiche the same menne
maye vse and occuppe. And it maye fortune men
will saye, that and all shoulde be enclosed, that
there woulde be manye foule lanes as there be in
Essex, but foze that there maye be a prouysyon,
and that is thus, where the kinges hyghe waye
is if it be dye grounde, stony grounde, or sandye
grounde, in all suche places maye be lanes made
of a conueniente bryde, foze the kinges people to
passe thowwe with al maner of carpage, And
where it is softe grounde lyinge leuell, that the
waters may not well passe by the ditchesse at e-
uery hedge that goeth ouerthwarde the hye way
there to make a gate, and stone it and grauel it in
that place, And then hath euery man the whole
close to ryde/carpe, or goo in, as they had before,

Duruepyng:

likewyse as they do at the wynde gates a this side
Chorley in Lankashyre, and likewyse betwene
towne and towne, and as to theyr owne distel-
nes to their closes, let them make the for their own
ease as they will haue them. &c.

The most indifferentest meane to make these
approuementes, as me semeth is this. All the loz-
des of one towne, be there neuer so many, shoulde
be all of one assente, that their tenauntes shoulde
exchaunge theyr landes one with another, and
the sayd exchaunge to stande and endure for ever
for doute them not but they knowe it best and
every tenaunt for his owne aduantage wyl do
it indifferently, and the curate of the same parische
for his parte, and every lordes bayly to be indif-
ferent, so se those closes lotted and assigned to e-
uery mannes ease, so that euery man maye haue
one lytel crofte or close nexte to his owne house
yf it maye be, though he haue no lande of his
owne. Thys done let euery lord by his copy of
courte role or by indenture to make a sufficient
lease to every of theyr tenauntes, to haue to hym
and to his wife, and to his chyldren, so that it
passe not thre lyues, than beinge a lyue and nar-
med, yeldyng and paying, to theyr lordes and to
theyr heires, the olde rentes and seruyces before
due and accustomed, during those theyr lyues, vpon
this condycyon, That they shall do or cause
to be done, duringe theyr lyues, sufficiente to
quyche set, diche, hedge, and plashe, when nede
is, all the sayd closes, and to kepe them duringe
theyr liues, the whiche will be a great charge to
the tenauntes. But yet me semeth they maye well
do it, yf they entende to thys, and specially do
remembre

Surueyng.

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remembze the pꝛofites that may come to them af-
terward. There is an olde saying. *Quod leuis est
laboꝝ cum lucro*, that is to saye, That labour is
light where winnyng foloweth, and much of this
laboure may be done by him selfe, and his seruā-
tes, at a conuenient time, so that he let not his hus-
bandye. It is to muche to be done in one yeaꝛe
two, oꝛ thye, but and they may do it in sixe oꝛ nine
yeres, as the felde go aboute, they hye them well,
foꝛ it is to costelye foꝛ husbandes to hye it to be
done. And the loꝛdes me semethe can do no lasse,
than to graunte them these thye lꝛues of the olde
rente, remembryng what pꝛofyte they maye haue
at their termes, they knowe not howe soone.

foꝛ vndoubted, one set day cometh at laste,
and though the aduantage of the loꝛde
come not a none, it wil come at lengthe.

And therfoꝛe saith the Philoso-
pher. *Quod differitur non au-
fertur*, that thyng that is
differred is not ta-

ken awaye,

and

in meane tyme the loꝛdes haue no
maner of losse, noꝛ yet make
no costes, but at theꝝ
pleasure.

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